



THE
KIMBERLEY
REGIONAL GROUP

Meeting Minutes

15 June 2023

Join Zoom Meeting

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VdUFnTWdSQT09](https://us02web.zoom.us/j/82713883441?pwd=SDBNVWFFV0hUZHc4c3V
VdUFnTWdSQT09)

Meeting ID: 827 1388 3441

Passcode: 631707

Table of Contents

1. MEETING OPEN:	3
2. ATTENDANCE AND APOLOGIES	3
3. DISCLOSURES, CONFLICTS AND DECLARATIONS OF INTEREST:	4
4. MINUTES OF THE LAST MEETING	4
5. CORRESPONDENCE	8
6. FINANCIAL REPORT	19
7. FORMAL PRESENTATIONS	22
8. OFFICE OF THE AUDITOR GENERAL	24
9. BANNED DRINKERS REGISTER	26
10. BBY AND WKFEC INVITATION TO PRESENT TO KRG	32
11. ABORIGINAL CULTURAL HERITAGE BILL 2021	35
12. KRG MOU AND GOVERNANCE MODELS	39
13. KIMBERLEY REGIONAL GROUP PRIORITY ACTION LIST	49
14. NATURAL DISASTER RESILIENCE AND RECOVERY INQUIRIES	56
15. STATE AND FEDERAL BUDGET OVERVIEW – KIMBERLEY PERSPECTIVE	61
16. KIMBERLEY CRIME STATISTICS	67
17. WEBSITE AND SOCIAL MEDIA	76
18. EXECUTIVE OFFICER REPORT	78
19. AROUND THE GROUNDS	82
20. GENERAL BUSINESS	83

Meeting Open: 10:58 am

- Chair acknowledged the Traditional Custodians of the different lands on which people are meeting today, and paid respect to all the Elders past, present and emerging.

2. Attendance and Apologies

Name	Shire / Council / Organisation	Method
Members		
Cr David Menzel (Chair)	President, Shire of Wyndham East Kimberley	Zoom
Cr Geoff Haerewa	President, Shire of Derby West Kimberley	Zoom
Cr Malcolm Edwards	President, Shire of Halls Creek	Zoom
James Watt	A/CEO Shire of Broome (Delegate)	Zoom
Observers		
Peter McCumstie	Deputy President, Shire of Derby West Kimberley	Zoom
Phillip Cassell	CEO, Shire of Halls Creek	Zoom
Vernon Lawrence	CEO, Shire of Wyndham East Kimberley	Zoom
Nick Kearns	Director of Planning / Community SWEK	Zoom
Executive Support Team		
Paul Rosair	Principal, NAJA Business Consulting Services	Zoom
Michelle Mackenzie	Principal, Mira Consulting	Zoom
Jane Lewis	Principal, Redit Research	Zoom
Apologies		
Cr Desiree Male	President, Shire of Broome	
Sam Mastrolembo	CEO, Shire of Broome	
Cr Tony Chafer	Deputy Shire President, SWEK	
Cr Tony Chafer	Deputy Shire President, SWEK	
Amanda Dexter	CEO, Shire of Derby West Kimberley	
Wayne Neate	A/CEO, Shire of Derby West Kimberley	
Guests		
Hon. Stephen Dawson MLC	Minister for Emergency Services; Innovation and the Digital Economy; Science; Medical Research; Minister assisting the Minister for State and Industry Development; Jobs and Trade.	Zoom

3. Disclosures, Conflicts and Declarations of Interest:

Financial Interest / Impartiality

Member	Item Number	Item	Nature of Interest
Nil			

4. Minutes of the last meeting

Item for Decision

Submitted by: Secretariat

Attachment 1: Matters Arising and Outstanding Business

Confirmation of Previous Minutes

Resolution/s		Action(s) / Budget Implications	
<p>That the Minutes of the Kimberley Regional Group held on 13 April 2023, as published and circulated, be confirmed as a true and accurate record of that meeting.</p>		<p>See Attachment 1 – Matters Arising and Outstanding Business</p>	
Moved:	Shire of Derby West Kimberley	Responsible:	See Attachment
Seconded:	Shire of Wyndham East Kimberley	Due date:	As appropriate
<p>Carried: 4 /4</p>			

Attachment 1 Matters Arising and Outstanding Business

Date / Item	Action / Progress	Responsible
Kimberley Regional Group Memorandum of Understanding		
21/6/2022 Item 9.4	Action: MOU to be finalised and signed Status / Progress: Completed and signed. Item 12	Members and Executive Officer
Resilience and Recovery		
18/02/2023 Item 8	Action: Look at opportunities to be involved with the review of DRFAWA. Status / Progress: The CEO SDWK has been liaising with the State Recovery Co-ordinator. The Commonwealth Review of DRFAWA, led by Andrew Colvin APM OAM, will determine the strengths and weaknesses of the current system to help bolster WA's resilience to hazards. It is expected to be completed by 2024. The KRG to consider submission into the review. See Item 14	Executive Officer and CEO SDWK
04/06/2023	Action: Potential Senate Enquiry Submission. Status / Progress: The KRG to consider submission into the enquiry. See Item 14	Executive Team
KRG Website and Social Media		
18/02/2023 Item 11	Action: Executive Team and Secretariat to negotiate a contract and purchase order with the chosen web developer. Status / Progress: The website is in nearing completion. Content to be approved by the KRG, before it goes live. A LinkedIn page has been established. See Item 17.	Executive Team
Office of the Auditor General		
04/06/2023	Action: As a result of emails and discussions with KRG CEO's, <ul style="list-style-type: none"> • A letter is to be written to the Auditor General regarding the delays and costs being incurred for recent audits. Pending • OAG is to be invited to attend a KRG meeting. Pending • Candy Choo, LGIS to be contacted regarding the audit process survey. Not required, survey results summary has been released. 	Executive Team, KRG Members

Date / Item	Action / Progress	Responsible
	<p>Link to the survey results summary: https://walga.asn.au/getattachment/Documents/Audit-Experience-Survey-Results-Summary-(ID-590530).pdf?lang=en-AU</p> <ul style="list-style-type: none"> • Potential funding allocation for legal advice. To be discussed in light of WALGAS State Council recommendation 7.5 2. d. <p>See Item 8</p>	
General Business		
18/02/2023	<p>Subject: Insurance Costs relief as a result of flood impacts.</p> <p>Action: Executive Officer to discuss with CEO Broome and talk to CEO LGIS.</p> <p>Status / Progress: Executive Officer met with James Sheridan, the new CEO. Verbal report to be given in General Business, Item 20.</p>	Executive Officer
04/06/2023	<p>Subject: Regional Road Group. The RRG has previously operated under agreement from the four local governments to allocate equally at 25%. Main Roads have been pushing this to change to a multi criteria analysis. WALGA have provided a presentation with 4 options – but there is concern over potential disadvantage.</p> <p>Action: Executive Officer to discuss with CEO Broome. Executive team to seek address from Ian Duncan at the meeting</p> <p>Status / Progress: In progress</p>	Executive Team
04/06/2023	<p>Subject: Potential tourism opportunities for total eclipse events, provided by Kym Francesconi.</p> <p>Action: Executive Team to provide information to SWEK as the 2028 eclipse will be near Kununurra.</p> <p>Status / Progress: Information passed on to Nick Kearnes.</p>	Executive Team

Watching Brief

Federal Grant Growing Regions Program – Grant opens on 5th July and closes on the 1st August. The Growing Regions Program provides grants of between \$500,000 and \$15 million to local government entities and not-for-profit organisations, for capital works projects that deliver community and economic infrastructure projects across regional and rural Australia.

The program is open competitive with grants awarded on a merit basis. There will be a two-stage application process. Under Stage One, applicants will be required to submit Expressions of Interest which will be assessed to ensure projects meet eligibility requirements, project readiness and program suitability, and are aligned with regional priorities for the area.

Minister McBain Kimberley Tour – await sitting dates for Parliament (in contact with Gabrielle Said)

Aboriginal Heritage Act third round approx. Feb 2023. Update provided in Item 11

WA Development Index – response received from the Department of Local Government, Sport and Cultural Industries.

Banned Drinkers register – Legislation was introduced to parliament on the 18th May 2023. A matter for noting is included in this agenda.

State government funding to address juvenile crime in the Kimberley – response received from the Department of Justice. The Kimberley Aboriginal Youth Wellbeing Steering Committee is key to recommending funding partnerships with government for youth projects across the Kimberley. The KRG is an observer on this committee. See correspondence.

Tanami Road funding – Letter sent to Minister Catherine King on 28/05/23. No response as yet and this is being followed up by the Executive Team. The Executive Officer raised this matter with both the Minister for Emergency Services and Director General of Communities at his recent briefings.

Resolved

Media and Communications Policy and Stakeholder Engagement Plan

Letters of congratulations to new State Ministers

Audited statements circulated

KRG meeting dates set and circulated

Service Level Agreement

Policy Position Papers

Investment Prospectus

North West Defence Alliance (NWDA) Funding Request

Media Policy

Lord Mayors Distress Relief Funding

5. Correspondence

Item for Noting

Submitted by: Secretariat

Attachment 2: Correspondence In: Klaudia Shenton; Project Manager Closing the Gap

Attachment 3: Correspondence In: Sarah Tobias; Senior Policy Officer, KAHPF

**Attachment 4: Correspondence In: Eleanor Robson, Stakeholder Engagement Lead
Deloitte Disaster Funding Review**

Attachment 5: Correspondence Out: The Hon Catherine King MP

Attachment 6: Correspondence Out: Ms Karen Chappel, President WALGA

Attachment 7: Correspondence Out: Sarah Tobias; Senior Policy Officer, KAHPF

**Attachment 8: Correspondence Out: Eleanor Robson, Stakeholder Engagement Lead
Deloitte Disaster Funding Review**

Note: Correspondence considered of an administrative nature, will not be tabled.

Correspondence In	
Date	11/04/2023
From	Klaudia Shenton: Project Manager Closing the Gap, Aboriginal Health Council of Western Australia
Topic	Consultation Sessions (WA office of Crime Statistics and Research (WAC SAR) re. Kimberley Juvenile Justice Strategy (KJJS)
Attachment	2
Date	25/05/2023
From	Sarah Tobias; Senior Policy Officer, ARGG and KAHPF
Topic	KRG Position Papers and Observer Status of KAYWSC
Attachment	3
Correspondence Out	
Date	28/04/2023
From	David Menzel
To	The Hon Catherine King MP Minister for Infrastructure, Transport, Regional Development, Local Government Cc: The Hon Kristy McBain MP, Minister for Minister for Regional Development, Local Government and Territories The Hon Madeleine King MP, Minister for Northern Australia The Hon Don Punch MLA, Minister for Regional Development
Topic	Tanami Road – Federal Funding
Attachment	4

Correspondence Out			
Date	28/04/2023		
From	David Menzel		
To	Ms Karen Chappel, President WALGA		
Topic	Local Roads and Community Infrastructure Program		
Attachment	5		
Date	25/05/2023		
From	KRG Executive Team		
To	Sarah Tobias; Senior Policy Officer, ARGG and KAHPF, Cr Peter McCumstie		
Topic	KRG Position Papers and Observer Status of KAYWSC		
Attachment	6		
Resolution/s		Action(s) / Budget Implications	
That the Correspondence be received and noted, and that the Executive Officer be directed on a response, if required.			
Moved:	Shire of Derby West Kimberley	Responsible:	
Seconded:	Shire of Halls Creek	Due date:	
Carried 4/4			

Attachment 2 Correspondence In: WACSAR consultations re. Kimberley
Juvenile Justice Strategy (KJJS)

From Klaudia Shenton, Project Manager – Closing the Gap, Aboriginal Health Council of WA,
11/04/2023.

From: Klaudia Shenton <Klaudia.Shenton@ahcwa.org>
Sent: Tuesday, April 11, 2023 10:10 AM
Subject: Kimberley Juvenile Justice Strategy Evaluation- Consultation sessions

Good morning,

Please find below information on upcoming consultation sessions led by the Western Australian Office of Crime Statistics and Research (WACSAR) in regard to the Kimberley Juvenile Justice Strategy (KJJS).

If you have any questions, please feel free to get in touch!

Regards,

Klaudia

Klaudia Shenton
(she/her)
Project Manager - Closing the Gap

450 Beaufort Street, Highgate, Western Australia, 6003
Ph:(08) 9227 1631 | Fax: (08) 9228 1099

[AHCWA](#) | [THEAHCWA](#) | www.ahcwa.org.au

The Aboriginal Health Council of Western Australia acknowledges the traditional custodians of this land and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal and Torres Strait Islander communities and their cultures; and to Elders past, present and emerging.

From: Rodwell, Simone <Simone.Rodwell@justice.wa.gov.au>
Sent: Thursday, 6 April 2023 12:28 PM
To: Klaudia Shenton <Klaudia.Shenton@ahcwa.org>
Subject: FW: KJJS Evaluation Email

Good morning,

The Western Australian Office of Crime Statistics and Research (WACSAR) would like to start by acknowledging and paying their respects to Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia, whose ancestral lands and waters we work and live on throughout Australia. They honour the wisdom of, and pay respect to, Elders past and present, and acknowledge the cultural authority of all Aboriginal and Torres Strait Islander peoples across Australia.

BACKGROUND

You are being contacted to inform you of an upcoming evaluation WACSAR is planning to undertake on the Kimberley Juvenile Justice Strategy (KJJS). Importantly, WACSAR wishes to seek your support for community consultation in your region to occur as a key part of the evaluation's methodology. An application has been submitted to the Western Australian Aboriginal Health Ethics Committee for approval to conduct the evaluation. Community consultation will only occur with the Committee's approval.

WACSAR is an independent body within the Department that undertakes internal evaluations of programs and initiatives. WACSAR works in partnership with Aboriginal communities and organisations to ensure the evaluations they undertake are culturally appropriate and secure and reflect the expectations of Aboriginal communities with a stake in the subject of the evaluation.

KJJS INITIATIVES

As you may be aware, the KJJS commenced in 2019-20 and is funded to provide a range of community supports for Aboriginal young people across the Kimberley region. Current place-based KJJS initiatives delivered across locations in the Kimberley region include night patrols, structured activities, on-Country camps, a program to support young people meet their Court orders, and alternative education programs.

THE EVALUATION AIMS

A key aim of the evaluation will be to assess if the KJJS initiatives are on track to deliver on intended outcomes, which include (but are not limited to):

- Improving Aboriginal Wellbeing.
- Reducing first-time offending by young people in the Kimberley region.
- Improving community safety in the Kimberley region.

Importantly, the methodology of the evaluation will be designed to develop findings and recommendations related to the KJJS initiatives that have cultural relevance and meaning for Aboriginal communities in the Kimberley region.

DATA MANAGEMENT

WACSAR ensures that no identifiable information is included in any reports, presentations or publications of evaluations. Furthermore, WACSAR acknowledges Indigenous Data Sovereignty and is committed to adhering to its C.A.R.E principles of *Collective Benefit, Authority to Control, Responsibility* and *Ethics* in the design and conduct of their evaluations.

APPOINTMENT OF AN ABORIGINAL BUSINESS ENTERPRISE (ABE) TO CONDUCT AN INDEPENDENT EVALUATION

To ensure the evaluation of the KJJS is culturally secure, WACSAR will be engaging an ABE to lead an independent evaluation of the KJJS. The selected consultant will develop the evaluation methodology from an Aboriginal perspective and engage with the Kimberley Aboriginal community through employing culturally appropriate and trauma-informed techniques. As part of the evaluation, researchers from the ABE will travel to various key locations in the Kimberley region where the KJJS initiatives are run, including Broome, Derby, Halls Creek, Kununurra, Wyndham and Fitzroy.

CONSULTATION

The researchers will observe the operation of KJJS' initiatives, interview key stakeholders and hold open community engagement forums (yarning circles) in the above locations where community members can participate and share their thoughts on the KJJS. The key focus of the evaluation is to ensure the voices and perspectives of Aboriginal people in the Kimberley communities are heard and form the basis of the findings and recommendations of the evaluation. It is anticipated the **community engagement and consultation processes will be held between June to July 2023.**

The Aboriginal Business Enterprise that WACSAR is in the process of engaging has established ties with Kimberley Aboriginal communities and with local ACCOs. They will be reaching out to ACCOs in the above locations to advise them of the evaluation separately once they are appointed, and to ensure they follow appropriate protocols in connecting with evaluation participants.

Finally, WACSAR respectfully acknowledges that Kimberley Aboriginal communities have been widely consulted by the WA Government across multiple initiatives in recent years. While they understand and empathise that this has led to consultation fatigue, they consider it to be critical that your community is invited to share their sentiments and state their expectations around the KJJS initiatives to guide improvements to existing and future services provided under the KJJS.

WACSAR would very much appreciate your support of the evaluation and associated consultation in your community.

If you would like to provide your support, feedback or have any questions, please do not hesitate to reach out to Principal Evaluation and Research Officer, Ryan Ho at ryan.ho@justice.wa.gov.au or on 9264 1544.

Attachment 3 Correspondence In: KRG Position Papers and Observer Status of KAYWSC

From Sarah Tobias, Senior Policy Officer ARGG and KAHPF 25/05/2023

KRG position papers and observer status of KAYWSC External Σ Inbox x

Kimberley ARGG <kimberleyargg@kamsc.org.au> 11:21 (4 hours ago) ★ ← ⋮
to paul@naja.com.au, Jane@reditresearch.com.au ▾

Good morning, Paul

We met by phone a couple of weeks ago when you were meeting with Des Hill in Knx.


You mentioned at that meeting that the KRG have developed a number of position papers that are relevant to the Aboriginal Regional Governance Group (ARGG) and the Kimberley Aboriginal Youth Wellbeing Steering Committee (KAYWSC). Are you able to forward these to me for information, please?


Also, to confirm, the ARGG agree that Cr McCumstie should be invited to attend the KAYWSC as the KRG's nominated observer. We're keen to brief Cr McCumstie on the work of the ARGG prior to the next KAYWSC - can I arrange this through you, or should I contact Cr McCumstie directly?
If you'd like to discuss please phone me direct on 0418 695 300 (note personal number, not for distribution).

Kind regards

Sarah Tobias | Senior Policy Officer (ARGG and KAHPF)

Kimberley Aboriginal Medical Services Ltd
12 Napier Terrace (PO Box 1377) Broome WA 6725
Reception: (08) 9194 3200 | sarah.tobias@kamsc.org.au

 **KAMS** Kimberley Aboriginal Medical Service Ltd
kams.org.au *"An Organisation of Aboriginal people, for Aboriginal people, controlled by Aboriginal people"*

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Attachment 4 Correspondence In: Invitation Commonwealth Independent Disaster Funding Review Briefing

From Eleanor Robson: Stakeholder Engagement Lead, Deloitte Disaster Funding Review 2/6/2023

INVITATION: Commonwealth Independent Disaster Funding Review briefing

Robson, Eleanor <elrobson@deloitte.com.au>

2 Jun 2023,
09:38

Dear Ms O'Brien and Ms Lewis,

I hope this finds you well. My name is Eleanor and I am a manager in Deloitte's Climate and Sustainability team in Canberra.

The Australian Government has commissioned an [Independent Review of Commonwealth Disaster Funding](#) (the Review). The Review considers how Commonwealth arrangements for disaster funding can be optimised to enable a system which supports wellbeing, national productivity, prosperity, and economic security and maintains state, territory and local government roles and responsibilities in the context of projected increase in natural disasters over the coming decades. Andrew Colvin AO has been named as the Independent Reviewer and will be supported in his Review by the National Emergency Management Agency (NEMA) Review Taskforce and the Deloitte Independent Review Team.

You are invited to attend a briefing on the Review with Dr Tayanah O'Donnell (Partner supporting the Independent Reviewer) and to discuss opportunities for the members of the Pilbara Country Zone, Gascoyne Country Zone and Kimberley Country Zone to contribute their insights into this important piece of work.

The briefing will take place on Wednesday 7 June from 3:00-3:30pm (WA time) on Microsoft Teams. We appreciate and apologise for the short notice in advising of this invitation, so while we would very much appreciate having the opportunity to speak with you, please feel at liberty to delegate this invitation to a senior staff member as required. **Please advise us as soon as possible on which individuals, including their emails, you would like us to invite to the session.** An agenda and a briefing paper will be enclosed in the calendar entry.

There will be multiple opportunities to engage throughout the Review. You can also contact us at disasterfunding@deloitte.com.au or provide a written submission to the Review through the [NEMA website](#). You may be contacted throughout the course of the Independent Review, now until April 2024.

Kind regards,
Eleanor Robson
Stakeholder Engagement Lead
Deloitte Disaster Funding Review

Eleanor Robson
Manager | Sustainability & Climate Change
Deloitte Risk Advisory Pty Ltd
Ngunnawal Country
8 Brindabella Cct, Canberra ACT 2609 M: +61 448 780 651

Attachment 5 Correspondence Out: Tanami Road – Federal Funding

From David Menzel, Chair KRG 28/04/2023



The Hon Catherine King MP
Minister for Infrastructure, Transport, Regional Development, Local Government
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Via email - Catherine.King.MP@aph.gov.au

28th of April 2023

Dear Minister

Tanami Road – Federal Funding

Thank you for your support, and the support of your government for the Kimberley region as we recover from the recent devastating floods. The floods highlighted critical issues with the resilience of our road infrastructure which impacted critical supply chains and our community's ability to respond to and recover from this natural disaster.

I write to seek your commitment that funding for the Tanami Road, which connects the Great Northern Highway at Halls Creek and the Stuart Highway near Alice Springs, has not been deferred by the government. The upgrade and sealing of the Tanami Road remains the highest priority project for the Kimberley Regional Group. Initial funding was announced by State and Federal Governments in 2019 with works commencing in 2021. In 2022, the Federal Government and State Government announced \$434.2m and \$108.6m respectively for the upgrading and sealing of Tanami Road. We urgently need this funding to be released so that we can mitigate against the impact natural disasters, particularly on our supply chains.

Due to extensive flood damage to the Great Northern Highway, road freight to East Kimberley towns, including Wyndham, Kununurra and Halls Creek, had to detour through South Australia and the Northern Territory, travelling an extra 4,500 kilometres across the return journey. At one stage this alternative route was cut off due to flooding in the Northern Territory stopping all road freight in and out of our region.

The Tanami Road will provide an alternative road route into the East Kimberley, supporting supply chain resilience and delivering significant freight cost improvements by reducing the distance from our region to the southeast of Australia by 1100km. Aboriginal communities will benefit from access to cheaper food and servicing costs reducing cost of living pressures. Agricultural interests across the Kimberley will benefit by reduced costs associated with accessing markets as well as the reduced cost of inputs such as fertilizers. The upgrade will also positively impact on the pastoral industry providing access to new land.

Kimberley Regional Group and Kimberley Zone
459 Albany Hwy Victoria Park | 0419 930 467 | info@naja.com.au



Regional tourism will benefit through the creation of a more direct route for vehicles travelling from the south-east of Australia and may potentially encourage longer visitation periods resulting higher expenditure on accommodation and tourism experiences leading to local jobs and business growth. The sealing of the road will provide significant numbers of new construction jobs and opportunities for local businesses. With the expected increase in road, and particularly freight traffic from the upgrade, the Shire of Halls Creek is considering the development of a Freight Stop and Warehousing Facility. This will provide ongoing economic opportunities within the Shire, creating new jobs for local people.

It would be appreciated if you could confirm that funding for the Tanami Road has not been deferred and that the government remains committed to the release of funding for the Tanami Road upgrade.

We look forward to your response and to working with you and your government to make our supply chains more resilient to natural disasters, and to deliver great outcomes for the Kimberley region and Western Australia.

Yours sincerely



Cr David Menzel
Chair
Kimberley Regional Group

c.
The Hon Kristy McBain MP, Minister for Minister for Regional Development, Local Government and Territories
The Hon Madeleine King MP, Minister for Northern Australia
The Hon Don Punch MLA, Minister for Regional Development

Attachment 6 Correspondence Out: Local Roads and Community Infrastructure Program

From David Menzel Chair KRG 28/04/2023



Ms Karen Chappel
President WALGA
PO Box 1544,
West Perth, Western Australia, 6872

Via email – president@walga.asn.au

28th of April 2023

Dear President

Local Roads and Community Infrastructure Program

Thank you for attending the April 2023 meeting of the WALGA Kimberley Zone and Kimberley Regional Group of Councils. We appreciated your update on local government issues at a State and National level.

Further to our discussion on the Local Roads and Community Infrastructure Program (LRCIP), we would like to stress again how important this program is to deliver priority projects in our region. The program is important as it has created jobs and long-lasting benefits for Kimberley communities.

It is important that the LRCIP continues to support community infrastructure projects and is not reorientated to focus just to support road projects. The Kimberley has two distinct seasons, the wet and the dry. This creates challenges for us in delivering road infrastructure projects due the limited timeframe for construction. Also, the shortage of locally based civil construction companies can impact on project planning and delivery.

For our towns and communities to remain attractive places to live and to work, we need the LRCIP to be responsive to our local needs. It is important that we can develop projects that create lasting benefits, be they road or community infrastructure projects, in partnership with our community.

Thank you again for attending our meeting. It was greatly appreciated. Despite the critical ongoing need for increased and sustained state and federal government investment in road funding, I hope that you understand why we believe that the LRCIP should continue to support both road and community infrastructure.

Your sincerely

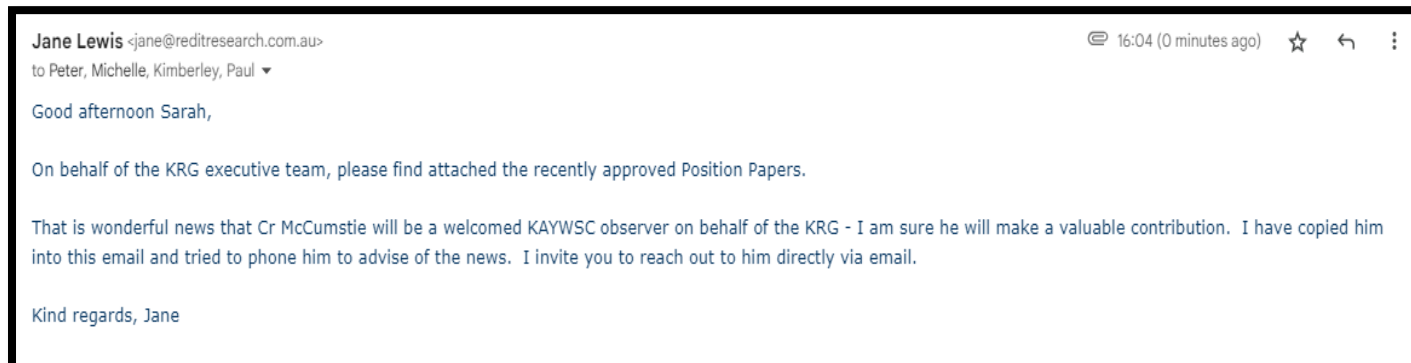


Cr David Menzel
Chair, Kimberley Regional Group

Kimberley Regional Group and Kimberley Zone
459 Albany Hwy Victoria Park | 0419 930 467 | info@naja.com.au

Attachment 7 Correspondence Out: KRG Position Papers and Observer Status of KAYWSC

From KRG Executive Team 25/05/2023



Attachment 8 Correspondence Out: Invitation Commonwealth Independent Disaster Funding Review Briefing

From KRG Executive Team 4/06/2023

Jane Lewis <jane@reditresearch.com.au>

11:00 (5 hours ago)

to Eleanor, Paul, Michelle

Good morning Eleanor,

Many thanks for your email, I have spoken to Paul Rosair, the Executive Officer for the Regional Capitals Alliance of WA and Kimberley Regional Group and he has advised that he and Michelle McKenzie from the KRG team, both CC'd above, would both like to attend. Please could you send through a Teams meeting invite and agenda through to them.

Kind regards, Jane Lewis

6. Financial Report

Item for Decision

Submitted by: Vernon Lawrence, KRG Secretariat and Felicity Heading

Attachment 9: Kimberley Regional Group Interim Financial Report to 30 April 2023

Purpose

To update the KRG members on the financial position of the Group.

Summary

This report presents the Kimberley Regional Group Interim Financial Activity Statement for the period ended 30 April 2023. The report recommends that the Kimberley Regional Group (KRG) receives the Financial Activity Statement.

BACKGROUND

Previous Considerations

The KRG adopted its annual budget for the 2022/23 Financial year at the meeting on 13 April 2023. At this meeting a report relating to the finances for the financial year to 28 February 2023 was approved by the KRG.

COMMENT

The Financial Activity Statement presents a current surplus position of \$194,151. Since the last meeting invoices for the 2022/23 financial year have been sent out to the members of the KRG of which one has been received.

Executive and Administrative consultancy invoices have been received to March 2023 and indicate that services will be delivered within budget at year end.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

As at the 30 June 2022 the Kimberley Regional Group cash balance carried forward to the new financial year was \$289,435. The Kimberley Regional Group budget was put forward to this meeting as a balanced budget with the opening cash balance of \$298,435. A budget was approved to raise \$185,700 and have the same amount of expenditure for a projected end cash balance for the 2022/23 financial year of \$298,435.

For the period ending 30 April 2023 expenses of \$149,284 were paid against a year to date budget of \$154,750. The KRG received \$45,000 in membership dues as the only income received against a year-to-date budget of \$154,750. The year-to-date actual budget deficit is \$104,284. Outstanding membership fees of \$135,000 is sufficient to cover this deficit and fund the remainder of the year's expenditure.

The total Kimberley Regional Group cash balance at 28 February 2023 is \$194,151.

STRATEGIC IMPLICATIONS

Governance Goal – A collaborative group demonstrating strong regional governance:

Effective governance protocols and systems for business efficiency and improved services through collaboration

Secure funding for regional initiatives

VOTING REQUIREMENTS

Absolute Majority

Resolution/s		Action(s) / Budget Implications	
<p>That the Kimberley Regional Group notes the Interim Financial Report to 30 April 2023, the \$104,284 year to date budget deficit, and the overall \$194,151 surplus position.</p>		<p>Nil</p>	
<p>Moved:</p>	<p>Shire of Wyndham East Kimberley</p>	<p>Responsible:</p>	
<p>Seconded:</p>	<p>Shire of Derby West Kimberley</p>	<p>Due date:</p>	
<p>Carried: 4/4</p>			

Attachment 9 Kimberley Regional Group Interim Financial Report to 31 May 2023

Kimberley Regional Group - Interim Financial Statement for the period ending 30 April 2023	Annual Budget	Budget Year to Date	Actual Year to Date
Expenditure			
Kimberley Regional Group - Zone & RCG Meeting Expenses - Op Exp	12,000	10,000	4,331
Kimberley Regional Group - Annual Financial Audit - Op Exp	5,000	4,167	5,000
Kimberley Regional Group - IT Support - Op Exp	1,500	1,250	-
Kimberley Regional Group - Sundry Expenses - Op Exp	1,000	833	-
Kimberley Regional Group - Policy creation	-	-	4,278
Kimberley Regional Group - Website upgrade	4,000	3,333	921
Kimberley Regional Group - Executive Consultancy	116,200	96,833	89,201
Kimberley Regional Group - Executive Consultancy - reimbursable costs	6,000	5,000	5,553
Kimberley Regional Group - North West Defence Alliance	40,000	33,333	40,000
	<u>185,700</u>	<u>154,750</u>	<u>149,284</u>
Income			
Kimberley Regional Group - Reimbursement Zone & RCG Meetings Expenses - Op Inc -	3,000	- 2,500	-
Kimberley Regional Group - Members Contribution Secretariat Costs - Op Inc	- 180,000	- 150,000	- 45,000
Kimberley Regional Group - Interest on Reserve - Op Inc.	- 2,700	- 2,250	-
	<u>- 185,700</u>	<u>- 154,750</u>	<u>- 45,000</u>
Net Operating Result	<u>-</u>	<u>-</u>	<u>104,284</u>
Opening Cash Balance	298,435	298,435	298,435
Closing Cash Balance	<u>298,435</u>	<u>298,435</u>	<u>194,151</u>

7. Formal Presentations

Submitted by: Executive Officer

Purpose

To receive presentations from key stakeholders.

Background:

In accordance with the priorities of the KRG, stakeholders have been secured to present and discuss relevant topics with the members.

Details:

Time	Name	Position	Topics for discussion
11:00 – 11:15	Hon. Stephen Dawson	Minister for Emergency Services; Innovation and the Digital Economy; Science; Medical Research; Minister assisting the Minister for State and Industry Development; Jobs and Trade.	Flood recovery Disaster Funding enquiries

The Minister was provided with the following information:

Thanks once again for organising Minister Dawson's attendance at the upcoming KRG meeting. Regarding documents for the meeting, I can confirm the following:

The members would like a verbal update on the flood recovery from a State level perspective and any other issues of note relating to the Minister's portfolio that are Kimberley related please.

We also have an agenda item (14) relating to two enquiries that are underway:

1. Independent Review of Commonwealth Disaster Funding¹ - with an 18-month timeframe; and;
2. A Senate Select Committee on Australia's Disaster Resilience to inquire into Australia's preparedness, response and recovery workforce models, as well as alternative models to disaster recovery² with an open time-frame.

I have attached a copy of the Agenda Item, and wonder if the Minister could share any insights or recommendations which may be useful in the KRG submissions.

¹ <https://nema.gov.au/about-us/governance-and-reporting/reviews/Independent-Review-Disaster-Funding>.

² https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Disaster_Resilience.

Link to Key Pillar/s and Strategies:	Budget Implications		
<table border="1"> <tr> <td data-bbox="148 320 375 490"> People Place Prosperity Performance </td> <td data-bbox="395 320 740 490"> Advocate Facilitate Partner Fund Promote Monitor </td> </tr> </table>	People Place Prosperity Performance	Advocate Facilitate Partner Fund Promote Monitor	Nil
People Place Prosperity Performance	Advocate Facilitate Partner Fund Promote Monitor		
Resolution/s	Action(s)		
For information only			

8. Office of the Auditor General

Item for Decision

Submitted by: Executive Team

Purpose:

To provide information to inform a decision to address issues raised with audits conducted by the Office of the Auditor General.

In Summary:

- Members have consistently raised issues with the cost and lack of cost transparency of Office of the Auditor General (OAG) audits.
- Under the [Local Government Amendment \(Auditing\) Act 2017](#) the OAG has the mandate to audit all WA local governments.
- There are no regulations under the Act, and a schedule of audit fees and charges is not published.
- WALGA and LG Professionals surveyed local governments on OAG issues. 91 Local Governments responded to the survey and WALGA have advised that this will be an item for decision in the June 2023 State Council agenda.
- It would be useful to see the issue raised in the WALGA survey and their recommended approach to the OAG, to inform the KRG's approach to OAG issues.

Background:

On 28 October 2017, the [Local Government Amendment \(Auditing\) Act 2017](#) was proclaimed, giving the Auditor General the mandate to audit Western Australia's 139 local governments and nine regional councils. The Act allows the Auditor General to conduct performance audits straight away while financial audits transitioned to the Auditor General over four years, as local government's existing audit contracts expired. The 2020-21 financial year audit was the first all 148 local government entities were audited by the OAG. There are no regulations under the Act of schedule of fees and charges for the cost of audit.

The OAG advises in its Local Government Audit Fee Setting Information Fact Sheet (May 2020)³, that they charge financial audit fees for State and LG entities on a cost recovery basis, that is, they do not make a profit. Also, that they endeavour to keep additional fees to a minimum across the State and local government sector and regularly absorb small excesses, as do their contract firms. They advise that they and their contract audit firms are becoming more acquainted with the size differences, regional particularities and other complexities across the local government sector. For example, they are seeking to allocate a region to 1 or 2 audit firms to reduce travel costs, as auditors can visit several local governments in one trip. They advised that this should also promote consistent financial management advice and build local expertise and skills across a region.

³ <https://audit.wa.gov.au/wp-content/uploads/2020/05/Local-government-audit-fee-setting-information-sheet.pdf>.

Details:

Key issues raised by Kimberley Councils include the cost of audit and the lack of transparency of the cost of the audit. The Shire of Broome have advised that they pay more for an audit than some large metropolitan Councils. Broome were recently advised that the OAG have agreed to review their cost, but that they would not provide a breakdown of their costs to the Shire.

Kimberley Shires are not alone in raising issues with the cost and process of audits by the OAG. WALGA advised that the following advice has been issued to 40 Local Governments regarding the OAG concerning the 21/22 financial audit:

As you would be aware, local government financial audits are legislated to be completed by 31 December. We have been working with entities, including yours, beyond this date to endeavour to resolve issues that have been delaying audit completion and to facilitate clear audit opinions wherever possible. However, this approach has resulted in excessively long delays. To uphold our auditor reporting obligations, we have decided to issue all outstanding local government financial audit opinions within the next few weeks. Your OAG engagement leader will contact you to discuss what this means for your entity.

WALGA sought input from Councils on their audit experience. They issued a survey, which received 91 responses, and this will form the basis of an item and recommendation to the WALGA State Council in June 2023. The information from the WALGA survey and WALGA's approach to the OAG can inform the KRG's approach to addressing identified issues with the OAG.

Risk:

Financial – the opportunity cost of the cost of audits to members

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	Nil
Resolution/s		Action(s)	
That: In light of WALGA's advocacy position proposed in the State Council Agenda, the Kimberley Regional Group will keep a watching brief on this item.		Watching brief	
Moved:	Shire of Wyndham East Kimberley	Responsible:	Executive Officer
Seconded:	Shire of Derby West Kimberley	Due date:	As required
Carried:	4/4		

9. Banned Drinkers Register

Item for Decision

Submitted by: Executive Team, acknowledgement to Cr. Tony Chafer

Purpose

To provide an update of progression of the Liquor Control Amendment (Banned Drinkers Register) Bill.

In summary

- The Liquor Control Amendment (Banned Drinkers Register) Bill was introduced to parliament on 18 May 2023.
- Key advocacy positions of the KRG have been introduced in the Bill.
- Medical practitioners and others can apply to the Director to put someone on the Banned Drinkers Register (BDR).
- A Police officer above the rank of sergeant can put someone on the BDR
- Provision to allow the Police to provide the details of a banned person to the liquor outlets.
- The offences outlined for placing someone on the BDR.
- The periods for which someone can be put on the BDR are specified.
- The BDR order must be revoked if the charge is withdrawn, the person is found not guilty, a restraining order is removed, or no sentence is imposed by the judge.
- A sunset clause of two years on this legislation as it's still a trial.
- Legislation should be in place for the BDR by the end of 2023.
- It is recommended that the KRG write to the Minister and the Opposition reinforcing the importance of the Bill and the KRG's policy positions.

Background:

The key points made in the KRG submission to the BDR included:

- Data shows it has been ineffective as a harm minimisation tool - only 83 people are on the banned list in the Kimberley, where there is a population of 38,000 people.
- Victims of family and domestic violence and child abuse remain at significant risk of alcohol related harm.
- Urgent legislative reform of the WA BDR is critical with support in the KRG submission including the establishment of a legislative framework, mandating that all outlets in an area participate, ensuring flexibility in regulations to prescribe BDR areas, enabling protective orders to occur beyond licensed premises, delegation to Police Officers in Charge of regional stations to add people to the register, expanding the scope of who can apply for somebody to be put onto the BDR and creating an offence for supplying alcohol to people on the BDR.

It was identified that critical to the reform process is the need to;

- review of the level of support services for alcohol dependency that are currently available in the Kimberley; and

- develop and implement a formal, independent evaluation framework to assess the effectiveness of the BDR in terms of the agreed outcomes. This framework should be developed through a co-design process with Kimberley based services and their clients.

Details:

We would like to acknowledge the work of Cr Tony Chafer in the preparation of this item.

As outlined in the Explanatory Memorandum⁴, the purpose of the Bill is to amend the Liquor Control Act 1988 (the Act) to establish a legislative framework related to the Banned Drinkers Register (BDR) in Western Australia, and its operation.

The Bill provides for the establishment of a register of people who are prohibited from purchasing packaged (take-away) liquor and expands the pathways for being included on the BDR. A person will now be a banned drinker if they:

- are subject to a barring notice;
- are subject to a prohibition order;
- are subject to a banned drinker order made by a police officer or the Director of Liquor Licensing; or
- have had a banned drinker order made on application by a medical practitioner, social worker or other prescribed person; or have voluntarily placed themselves on the register.

The amendments provide for banned drinker areas to be prescribed, in which participation on the BDR is mandatory for all licensees authorised to sell packaged liquor in the area. Penalties will apply for the sale, or supply, of liquor to a person on the BDR.

A banned drinker order prohibits a person from 'purchasing, possessing or consuming' alcohol during the period for which the order is in force, which can be for three, six, or 12 months. Banned drinker orders can be superseded, revoked or extended in specified circumstances and the Bill provides for the banned drinker to have the decision reviewed by the Liquor Commission.

Licensees of premises authorised to sell packaged liquor in a banned drinker area will be required to check the purchaser's identification against the BDR before selling or supplying packaged liquor. The Bill creates offences for:

- licensees to sell or supply liquor to a person on the BDR in banned drinker areas (including licensees outside the banned drinker area delivering to banned drinkers within a banned drinker area); and
- any person supplying packaged liquor to a person known to be on the BDR (secondary supply).

Penalties for committing these offences have been set in the Bill at \$10,000. The Bill allows the disclosure and use of information about a banned drinker order or banned drinker in the context of, and in support of, the banned drinkers register, despite any written law relating to confidentiality or secrecy. The Bill also imposes a fine of \$10,000 for the improper use or disclosure of that information.

4

[https://www.parliament.wa.gov.au/parliament/bills.nsf/BA4346D1F3EB1E0E482589B200209729/\\$File/EM%2B116-1.pdf](https://www.parliament.wa.gov.au/parliament/bills.nsf/BA4346D1F3EB1E0E482589B200209729/$File/EM%2B116-1.pdf)

As the amendments are intended to facilitate the trial of the BDR program to be expanded, the legislative framework related to the BDR have a sunset period of two years after the operating provisions are proclaimed. The following key points from the Bill are highlighted as of interest:

Page 1

As the amendments are intended to facilitate the trial of the BDR program to be expanded, the legislative framework related to the BDR have a sunset period of two years after the operating provisions are proclaimed.

Page 4

senior officer to mean a police officer who is of or above the rank of sergeant;

New subsection 152YB(2) provides that a banned drinker order must be in a form approved by the Director and sets that it must state:

- (a) the name of the person who is subject to the order;
- (b) the reason for making the order;
- (c) whether the order is self-imposed, made by a police officer or made on the application of a person under Division 4;
- (d) for an order made by a police officer —
 - (i) the name, rank and place of duty of the officer; and
 - (ii) the date and time the order is made;
- (e) that the order takes effect when the order is registered, regardless of whether the person is given a copy of the order;
- (f) the period for which the order remains in force;
- (g) the consequences of a contravention of the order and a description of what constitutes a contravention;
- (h) whether the person is entitled to apply for the order to be revoked and how to apply;
- (i) whether the person is entitled to apply for review of the decision to make the order and how to apply.

Page 5

152YE. Police officer may make banned drinker order

New subsections 152YE(1) and (2) set out that a police officer can make a banned drinker order for a person who —

- (a) is charged with an alcohol-related offence; or
- (b) is bound by a family violence restraining order, if the police officer who makes the family violence restraining order believes on reasonable grounds that the person was affected by liquor at the time of engaging in the conduct to which the family violence restraining order relates; or
- (c) if the person —
 - (i) is taken into alcohol-related protective custody; or
 - (ii) is given an alcohol-related infringement notice
 and, within the previous two years, the person was:
 - taken into alcohol-related protective custody at least twice; or
 - given at least 2 alcohol-related infringement notices; or
 - taken into alcohol-related protective custody at least once and given at least one alcohol-related infringement notice.

Page 6

152YG. Period of banned drinker order

New subsections 153YG(1)-(3) set out that a first police BDO remains in force for 3 months, a second police BDO remains in force for 6 months and subsequent police BDO remain in force for 12 months.

New subsection 152YJ(3) requires that the Commissioner of Police must revoke the banned drinker order:

- (a) for a banned drinker order made for a person who is charged with an alcohol-related offence, if satisfied that:
 - (i) the charge was withdrawn, dismissed or not proceeded with; or
 - (ii) the banned drinker was found not guilty of the offence; or
 - (iii) the banned drinker was convicted of the offence and the court sentencing the banned drinker imposed no sentence or made a spent conviction order (as defined in the *Sentencing Act 1995* section 4(1));
- (b) for a banned drinker order made for a person who is bound by a police family violence restraining order, if satisfied that the banned drinker is no longer a person

Page 6

- who is bound by a family violence restraining order; or
- (c) if the revocation is required because of an administrative error.

Page 8

Division 4 – Banned drinker order made on application of certain professionals

152YQ. Application for a banned drinker order

New subsection 152YQ(1) defines:

medical practitioner as a person in the medical profession registered under the *Health Practitioner Regulation National Law (Western Australia)*; and

social worker as a person who is a member, or is eligible for membership, of the Australian Association of Social Workers Limited.

New subsection 152YQ(2) allows for a medical practitioner, a social worker, or any other person prescribed, to apply to the Director to make a banned drinker order for a person.

New subsection 152YQ(3) sets out that the application must be in writing in a form approved by the Director and contain information to demonstrate that

- (i) the person the subject of the application is misusing or has misused liquor; and
- (ii) the person's misuse of liquor is a serious risk to the health, safety or wellbeing of the person or another person.

The applicant can request for the banned drinker order to be in force for a period of 3, 6 or 12 months.

Page 14

Division 7 – Disclosure and use of information

Division 7 provides for information to be disclosed in the context of, and in support of, the banned drinkers register, despite any written law relating to confidentiality or secrecy.

152ZC. Disclosure of information about banned drinker order or banned drinker

New section 152ZC provides for a person (for example, a medical practitioner or social worker) who applies under the new Division 4 to the Director for a banned drinker order for a person, or to extend a banned drinker order for a person, to give the Director information about the person who is the subject of the application or order.

New subsection 152ZC(2) allows a police officer or the Director to give information about a banned drinker order, and the banned drinker who is the subject of the order, to:

- (a) a public service officer who is acting under a written law in relation to the banned drinker; or
- (b) a responsible person in relation to licensed premises; or
- (c) a legal representative of the banned drinker; or
- (d) a prescribed person in relation to the banned drinker.

New subsection 152ZC(3) restricts a police officer or the Director to giving information only if:

- (a) the police officer or Director mentions the banned drinker order when giving the information; and

Page 14

- (b) the police officer or Director believes on reasonable grounds that the information —
 - (i) will assist the recipient of the information to provide a service to, or perform a function relating to, the banned drinker; or
 - (ii) will ensure the effective and efficient enforcement of the banned drinker order; or
 - (iii) is required for a purpose related to the administration or enforcement of this Act or another written law.

The key to success of the BDR is ongoing advocacy so that it and other actions will take the pressure off Kimberley communities who bear the brunt of the impact and hold government agencies to account to do their part. For example, to complement the register there must be a prioritisation of a health-driven responses as part of alcohol and other drug policy. Also, more investment in preventive health measures that are locally driven and informed. The limited availability of treatment and support services in the Kimberley, the complexity of peoples' needs, and the stigma, prejudice and discrimination directed at those experiencing alcohol related harm.

Risk:

That amendments to the Bill do not align with the KRG position.

Link to Key Pillar/s and Strategies:		Budget Implications	
<div style="border: 1px solid black; padding: 5px;"> People Place Prosperity Performance </div>	<div style="border: 1px solid black; padding: 5px;"> Advocate Facilitate Partner Fund Promote Monitor </div>	Nil	
Resolution/s		Action(s)	
<p>That the KRG;</p> <ol style="list-style-type: none"> Notes the progression of the Liquor Control Amendment (Banned Drinkers Register) Bill; and Writes to the Minister and the Opposition to support the progress of the Bill and to reinforce the KRG's policy positions. 		<p>Executive team to:</p> <ul style="list-style-type: none"> draft letter to Minister seek clarification whether the banned drinkers register will be enforced in public bars <p>Shire of Broome to send copy of their current restrictions to Shire of Derby West Kimberley.</p>	
Moved:	Shire of Derby West Kimberley	Responsible:	Executive Team Shire of Broome
Seconded:	Shire of Wyndham East Kimberley	Due date:	As appropriate
Carried:	4/4		

10. BBY and WKFEC invitation to present to KRG.

Item for Decision

Submitted by: Secretariat

Purpose

To recommend that the CEOs of the Empowered Communities for the East and West Kimberley are invited to present at Kimberley Regional Group meetings to inform the KRG of key issues and activities being undertaken by key whole of Kimberley Aboriginal organisations.

In summary


- Members of the Executive Team recently met with the Chair of BBY, Mr Des Hill, the CEO Ms Christy Hawker and the Executive Officer of the Kimberley Aboriginal Youth Wellbeing Steering Committee. At the meeting they expressed a desire to meet more formally with the KRG.
- The KRG met with politicians in Canberra to advocate for the Kimberley region. At this time the Kimberley Land Council was also in Canberra, undertaking regional advocacy. There was a missed opportunity to align effort to deliver positive outcomes for the region.
- Discussions with Aboriginal Community Controlled Organisations (ACCOs) across the Kimberley indicate an interest for stronger engagement with the KRG.
- The two Kimberley Empowered Communities organisations, Binarri-binyja yarrowoo (BBY) in the East Kimberley and West Kimberley Futures – Empowered Communities (WKFEC) are involved with pan-regional Kimberley committees.
- BBY and WKFEC are part of the Australian network of eight Empowered Communities sites across Australia, driving a place-based response to deliver better economic and social outcomes for Aboriginal people by empowering individuals, families and communities to create better lives for themselves. Their activities are done through a structured and devolved governance structure.
- BBY and WKFEC are funded by the Federal Government. Ian Trust is the National Chair of Empowered Communities. Also on the national leadership group is Des Hill from the East Kimberley, and Tyrone Garston and Anthony Watson (Kimberley Land Council) from the West Kimberley
- BBY and WKFEC are Backbone organisations for empowered communities in their region.
- BBY and WKFEC work with their members, and government through a Local Management Committee Structure to develop local and regional development agendas. They prioritise joint decision making, and support agenda implement, along with monitoring and tracking actions.
- As membership-based organisations BBY and WKFEC are in touch with what is happening with ACCOs across the Kimberley.
- Much of their regional policy and advocacy agenda aligns with the KRG.
- It is recommended that BBY and WKFEC are invited to present to the KRG with an update on their activities, and key Kimberley wide initiatives being progressed by and how the KRG, BBY and WKFEC can work together to deliver better outcomes for the Kimberley.

Background:

- There are a number of key pan-Kimberley Aboriginal committees which are driving a whole of Kimberley advocacy agenda;
 - **ARRG** - The Aboriginal Regional Governance Group (ARRG), has a strong focus on youth well-being and membership includes the Kimberley Aboriginal Medical Service, Kimberley Land Council, Kimberley Aboriginal Law and Culture Centre, Kimberley Language Resource Centre, BBY, and WEFEC.
 - **KAYWSC** - The Kimberley Aboriginal Youth Wellbeing Steering Committee (KAYWSC) which Cr McCumstie attends as the observer for the KRG is an initiative with the WA Government. The Commissioner for the Mental Health Commission is they key government contact point and the Director General of WA Government agencies such as the Department of Communities, Local Government, Sports and Cultural Industries, Justice, Premier and Cabinet, Education, Health and the WA Police are members of this committee.
 - **KARB** - The Kimberley Aboriginal Regional Body (KARB) - Several Kimberley Aboriginal organisations have signed an MOU to design a body, the Kimberley Aboriginal Regional Body (KARB) that will act as a 'voice' for Kimberley Aboriginal people. It is expected that once established, the Kimberley Aboriginal Regional Body will be a place that government, industry and business can engage.

Details:

As above. The insert provides an overview of the Kimberley Aboriginal Regional Body design group process.



**Kimberley Aboriginal Regional Body
Design Group**

For over 40 years, Kimberley Aboriginal people have called for a regional body to speak strong, with one voice to government.

A strong regional body will give us a bigger say on policies and decisions that affect our people, our country, our languages, our families.

A Kimberley Aboriginal Regional Body must be designed our way, to suit Kimberley Aboriginal people for the long term.

We must take our time and be careful to respond to community, not government. We must respect the voices of local people and the principles of place-based decision-making.

A Kimberley Aboriginal Regional Body must respect our cultural traditions and the Law. It must respect the role of Traditional Owners, of existing organisations and the diversity of our community.

The time to act is now. We have come together to form a Design Group and start work on a model of regional governance.

But it is the voices of Kimberley Aboriginal people that must shape the design of a Kimberley Aboriginal Regional Body. Consultation and engagement will be key.

We look forward to working with you in coming months and years as we design and establish a Kimberley Aboriginal Regional Body.

For further information, please get in touch with your closest organisation.

Working together as part of the KARB Design Group are:

Kimberley Land Council	(Tyronne Garstone 9194 0100)
Kimberley Aboriginal Medical Services	(Vicki O'Donnell 9194 3200)
Kimberley Aboriginal Law and Culture Centre	(Gordon Marshall 0437 150 858) or (Merle Carter 0473 141 407)
Kimberley Language Resource Centre	(Patsy Bedford 0499 011 840)
Empowered Young Leaders	(Stewart Jan 0428 302 156)
Aarnja Ltd	(Donna Birch 0457 320 103) or (Ismahl Croft 0487 697 462)
West Kimberley Futures- Empowered Communities	(EC West Office 9192 2894)
Binari-binja yarrowoo	(Des Hill 0458 620 846)

1 May 2023

Risk:

Reputational - That the KRG is not aware of key Kimberley initiatives being led by Aboriginal organisations which may impact on advocacy outcomes.

Link to Key Pillar/s and Strategies:		Budget Implications	
<div style="border: 1px solid black; padding: 5px;"> <p>People Place Prosperity Performance</p> </div>	<div style="border: 1px solid black; padding: 5px;"> <p>Advocate Facilitate Partner Fund Promote Monitor</p> </div>	Nil	
Resolution/s		Action(s)	
<p>That the KRG;</p> <ol style="list-style-type: none"> 1. Notes the progression of the Kimberley Aboriginal Regional Body; and 2. Invites the CEOs of Binarri-binyja yarrowoo and West Kimberley Futures – Empowered Communities to present at Kimberley Regional Group meetings. 		Executive team to draft letter	
Moved:	Shire of Wyndham East Kimberley	Responsible:	Executive team
Seconded:	Shire of Halls Creek	Due date:	As appropriate
Carried:	4/4		

11. Aboriginal Cultural Heritage Bill 2021

Item for Discussion

Submitted by: Secretariat.

Purpose

To provide an update on the Aboriginal Cultural Heritage Act 2021 and the statutory guidelines which come into effect on 1 July 2023.

Background:

The Aboriginal Cultural Heritage Act 2021 (ACHA), passed by Parliament in December 2021, replaced the existing Aboriginal Heritage Act 1972 (AHA). Recognising the potential impact for Local Governments, and working in his capacity as the Executive Office for the Regional Capitals Alliance WA (RCAWA), and now as Executive Officer of the Kimberley Regional Group, Paul Rosair has been working with the Department of Planning, Land and Heritage and with WALGA to understand the impacts of the legislation and to advocate for a streamlined implementation of the Act with as little additional cost and red tape as possible. This involved meetings with Anthony Kannis, Director General of DPLH on 4th April 2022 and Mr Ben Harvey; Director of Aboriginal Heritage and Mr Cesar Rodriguez; Manager Heritage Projects on 3 June 2022.

The Department outlined the timeframe for the development and tabling of the regulations and that they were required to have the ACHA fully implemented by July 1, 2023. They also confirmed that there would be no regulations that imposed any obligation on Local Government to do ACHA due diligence on third party development approvals. It would be expected a proponent would tick a box confirming they had completed this themselves. Local Government will only be bound by the ACHA for its own activities. Further, Local Government planning processes would not be an activity under the act. There would be no consequential amendments under the Local Government or Planning acts.

The Department acknowledged that the establishment of the Local Aboriginal Cultural Heritage services would take a long time and that it was likely the Native Title representative bodies would continue to facilitate heritage impact assessment services in the interim. They also indicated current work was focused on the management code and underlying “activity” guidance documents.

The practical application of the activity guidelines to residential blocks above 1100m², rural residential and farms was discussed and the Department acknowledged a reasonableness test would be required in undertaking due diligence. Defences under the act would be enshrined in the regulations to protect those who undertake due diligence in good faith but later are found to have impacted heritage values.

Details:

On 10th May 2023, WALGA and DPLH co-hosted an Aboriginal Cultural Heritage Education Session for the Local Government sector. The session was attended by 80 Local Government representatives.

The presentation can be found via the following link:

[https://walga.asn.au/getattachment/Policy-Advocacy/Our-Policy-Areas/People-and-Place/Aboriginal-Communities/Aboriginal-Cultural-Heritage-Act/Presentation_ACH-Workshop-10-May-\(ID-586999\)-\(ID-587653\).pdf?lang=en-AU](https://walga.asn.au/getattachment/Policy-Advocacy/Our-Policy-Areas/People-and-Place/Aboriginal-Communities/Aboriginal-Cultural-Heritage-Act/Presentation_ACH-Workshop-10-May-(ID-586999)-(ID-587653).pdf?lang=en-AU)

A recording of the workshop can be found via the following link:

<https://www.youtube.com/watch?v=0kfG1-lbWVU>

Major points raised are:

- The Act will come into effect on 1st July 2023, as will a range of Regulations. Limited functions of the 1972 Act associated with limited sections 18 applications will remain in place for a period of six months.
- New portal - ACHKnowledge
- Penalties for breaching the Act can now be up to \$10m or potential for imprisonment, and stature of limitation period has increased to 6 years
- Key components of ACH Act:
 - Aboriginal people are empowered to determine what ACH is protected (Part 1) –existing registered sites and lodged places will be transitioned to a new Directory
 - ACH Council (Part 2) –
 - two Aboriginal co-chairs (M&F); up to nine additional members; majority Aboriginal
 - designates LACHS, approves permits & agreed plans, makes recommendations to Minister
 - LACHS (Part 2) –active role for Aboriginal people in heritage management
 - one-stop shop for proponents; role in negotiating ACHMPs
 - funding for capacity building; able to charge fee for service for ACHMPs
 - Aboriginal ancestral remains and secret and sacred objects (SSO) (Part 3)
 - ancestral remains must be returned to rightful custodians
 - SSO reported to Council; government must return; can't be sold/removed from WA
 - Protected Areas for ACH of Outstanding Significance (Part 4)
 - existing 78 Protected Areas transition under new Act
 - exclusive vesting with Minister removed to allow Aboriginal groups to manage
- There are some areas where LACHS have not been established – will be more difficult to find the correct knowledge holder

Land Use Approvals (Part 6)

Tier Category	Description	Approval Pathway
Exempt Activity <i>Activities specified in the ACH Act</i>	'Small Scale Residential' 'Emergency Services', 'Recreational Activities' 'Like for Like or less'	Does not require Approval <i>Proponents encouraged to avoid ACH</i>
Tier 1 <i>Activities will be specified in the Regulations</i>	Minimal Ground Disturbance Activities	Does not require Approval <i>Proponents takes all reasonable steps possible to avoid or minimise risk of harm ACH</i>
Tier 2 <i>Activities will be specified in the Regulations</i>	Low Ground Disturbance Activities	Requires issue of <u>ACH Permit</u> by ACH Council <i>Proponents takes all reasonable steps possible to avoid or minimise risk of harm ACH</i>
Tier 3 <i>Activities will be specified in the Regulations</i>	Moderate to High Ground Disturbance Activities	Where Aboriginal Party and Proponent reach agreement ACH Council <u>approves ACH Management Plan.</u> Where Aboriginal Party and Proponent are unable to reach agreement it is <i>the decision of the Minister whether or not to authorise an ACH Management Plan</i>

- The guidelines include draft regulations on the activity categories – these will be reproduced as a table for ease of use
- Exempt activities: Development on Lots less than 1,100m² “ **under the current act there are no exemptions, if you are doing anything – cutting dead grass under the current act, you need an approval. So what we have tried to do in the new Act is be realistic and recognise that we do need to allow for some level of exemptions.**”⁵
- Flowcharts are provided for activity due diligence assessment – see DPLH / WALGA presentation
- Consultation guidelines differentiate between whether LACHS are present and outline minimum requirements including 3 meetings (although this can be negotiated).
- Knowledge holder guidelines: 1. Search the directory (which will be online by the 1st July), 2. seek advice from the Department, 3. give public notice requesting knowledge holders
- LACHS fee for service guidelines range from \$80 per hour up to \$300 per hour for other expert service providers – these are largely for Tier 3 activities.
- A section18 consent will expire within 10 years if, following proclamation, they have failed to establish that the activity has been substantially commenced.
- There is no obligation for Local Governments to verify that due diligence has been undertaken by developers. Development applications will be based on own Local Government criteria, not on Heritage. WALGA to request that this is put in writing.
- There are, as yet, no standardised forms for Local Governments to use to document due diligence activities when they are doing their own developments – however these may be developed as part of a due diligence module.
- Due diligence on a parcel of land will not be recorded spatially, so it would need to be done again if future development is considered

⁵ Ben Harvey, DPLH presentation

- Ground disturbance does not cover water or air – extraction of water is therefore not considered to be a ground disturbance activity (hence tier 1) but some of the activities surrounding that extraction may be tier 2 or 3.
- Scheme planning etcetera is not affected because it is not a ground disturbance activity
- Whoever is doing the ground disturbance work (the proponent) is responsible for doing the due diligence process, including leaseholders
- Anyone already holding a subdivision approval will be subject to these new laws from the 1st July when the Act is put in place
- DPLH are “decentralising” 5 directors to the regions and another 2 officers.
- The WALGA President wrote to the Minister for Aboriginal Affairs on 1 June 2023 to call for support for Local Governments through the provision of a dedicated Local Government ACH Act Facilitator, training, guidance materials, additional DPLH regional officers and an extension of grant funding project timeframes.
- Exemptions which will assist Local Governments are:
 - Maintaining existing infrastructure that does not involve disturbance to ground beyond that which was disturbed during the construction;
 - Maintenance of waterways and coastlines to rectify accretion and erosion of natural material; and
 - An emergency management activity intended to prevent imminent loss of life, prejudice to the safety, or harm to the health, of persons or animals.
- [The State Government has announced \\$77million investment](#) into the ACH system which will further support the successful implementation of the ACH Act.

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Facilitate Partner Fund Promote Monitor	Nil	
Resolution/s		Action(s)	
That the KRG; Keeps a watching brief on this item		Watching brief	
Moved:	Shire of Wyndham East Kimberley	Responsible:	Executive Team
Seconded:	Shire of Halls Creek	Due date:	As appropriate
Carried:	4/4		

12. KRG MOU and Governance Models

Item for Decision

Submitted by: Executive Team

Attachment 10: KRG Signed MOU

Purpose

That the governance arrangements for the Kimberley Regional Group are clear and fit for purpose.

In summary

- The Kimberley Regional Group is a Voluntary Regional Organisations of Councils (VROC)
- The Kimberley Regional Group Governance Agreement and Governance Manual outline governance arrangements for the KRG such as the appointment of delegates, voting rights, meeting procedures and the role of the host shire. No signed agreements of these two documents can be found by the Executive Team.
- A review of these documents found that whilst acknowledging that the KRG is not a separate legal entity they are written as if the Kimberley Regional Group were a local government constituted under the Local Government Act.
- As an interim measure, a MOU that outlines the spirit of co-operation and collaboration on Kimberley wide issues, which references the Governance Agreement so that governance protocols are clear has been signed. This is attached.
- Prior to reviewing and updating the KRG governance documents it is recommended that the KRG discuss how it would like to be constituted.
- Four models have been presented for discussion.
- Once a preferred model has been determined, the Executive Team will progress the appropriate governance documents for KRG consideration.

Background:

In September 2010, as part of the Western Australian State Government's local government reform agenda, the four Kimberley Shires came together as the Kimberley Regional Collaborative Group by the signing of the Agreement for the Kimberley Zone Regional Collaborative Group with the State of Western Australia for the purpose of undertaking shared regional initiatives.

KRG Vision, Mission and Objectives

The KRG's vision, mission and objectives are outlined in the current governance agreement.

Vision

- To maintain and enhance the rich diversity and liveability of the Kimberley Region and the Indian Ocean Territories for its people and the world.

Mission

- To work collaboratively for the benefit of the people and the land of the Kimberley Region

Objectives

- (a) to strive to achieve the Strategic Goals and Outcomes of the KRG in accordance with the KRG's Regional Strategic Community Plan, in a manner that enhances and assists the advancement of the Kimberley Region;
- (b) to advocate on regional issues as they are identified and supported by member Shires.
- (c) to encourage cooperation and resource sharing on a regional basis;
- (d) not to detract from the relationships a Participant holds within its community with the State and Federal Governments and other entities it interacts with in the course of usual business;
- (e) To include, if amenable, the Local Governments of the Cocos Keeling Islands and Christmas Island who are members of the Kimberley Zone, into the Kimberley Regional Group in the coming term of this agreement by mutual consent by all the parties; and
- (f) To encourage the Local Governments of the Cocos Keeling Islands and Christmas Island to participate in Kimberley Regional Group projects by mutual agreement with the associated costs of the projects to be divided in equal shares between all project participants.

Governance structure

The four local governments are represented by one delegate each to comprise the four members of the KRG, with one of these nominated as the Chairperson. The KRG is supported by a CEO advisory group. The Board does not have the powers of a local government or a Council and cannot make decisions which bind a local government in the exercise of its statutory authority.

Operational Support

Administration of the KRG is undertaken by one member Council. Administration has rotated around the members. Secretariat functions are outsourced to an external contractor. Funding for the secretariat is through annual member contributions.

Performance framework

KRG Pillars	KRG Strategies
People	Advocate
Place	Facilitate
Prosperity	Partner
Performance	Fund
	Promote
	Monitor

Details:

The KRG's current work focus includes:

- Development and agreement on high level regional strategies and policy positions
- Regional representation and advocacy
- Development of collaborative submissions
- Collaborative funding for delivery of Kimberley wide projects based on strategy and policy– ie investment prospectus, website

Criteria for considering a governance model

The following criteria are suggested for considering the governance model for the KRG;

- Delivering on KRG's vision and mission
- Delivery on KRG's objectives
- The administrative cost and burden
- Resourcing requirements to deliver the model
- The broader political operating environment, State and Federal regional structures and systems (ie RDAs/RDCs)
- Complementing, not duplicating, the role of member Shires
- Delivering tangible benefits and outcomes for members
- Not running projects which may be more efficiently and effectively run by member Shires.
- A form follows function approach

Potential governance models for the KRG

Four governance models are presented for discussion.

1. A voluntary regional organisation of councils (VROC) – the current model

Regional Organisations of Councils, known as Voluntary Regional Organisations of Councils (VROC's), are voluntary groupings of councils. VROC's usually involve collaborative partnerships between neighbouring councils in a particular area. They are diverse in size, structure and mandate, but all satisfy the criteria that members:

- join voluntarily.
- demonstrate their commitment in the form of financial and/or in-kind contributions.
- have agreed to a governance arrangement or some other formal set of objectives.
- recognise a range of common issues and interests.
- nominate representatives to the VROC's executive board.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Recognises commitment of partners • Ease of partner's entry/exit • Can include industry partners • No regulatory oversight required • Significantly less compliance obligations than that of a regional council 	<ul style="list-style-type: none"> • Level of commitment might change with people. • Not legally binding • A host Council is required to carry out the financial control and any legal agreements.

2. A regional local government model, constituted under the Local Government Act WA.

The Local Government Act 1995 refers to Regional Local Governments in Part 3 (Division 4) Clause 3.61 as ‘Two or more Local Governments’ who may (subject to the Minister’s approval) ‘establish a Regional Local Government to do things, for the participants, for any purpose for which a Local Government can do things under this Act or any other Act’.

Under Part 3 (Division 4) Clause 3.62 the constitution and purpose of regional local government

- 1) A regional local government —
 - (a) is a body corporate with perpetual succession and a common seal; and
 - (b) is to have as its governing body a council established under the establishment agreement and consisting of members of the councils of the participants.
- 2) The purpose for which a regional local government is established (referred to in this Division as the regional purpose) is as set out in the establishment agreement.

Regional Local Governments, or Regional Councils as they are often known, normally exist in specialist areas such as waste management and are formed to oversee management of a particular function. A landfill site, for example, may serve six Local Governments, rather than each Council having individual facilities. A Regional Council may be established, consisting of members of each Council, to manage this facility. For example, the Southern Metropolitan Regional Council, comprising the LGAs of City of Cockburn, Town of East Fremantle, City of Fremantle, City of Kwinana and City of Melville was formed for waste management purposes.

Advantages	Disadvantages
<ul style="list-style-type: none"> • A recognised structure under the LGA Act 1995 • Operates under an ‘Establishment Agreement’. • Provides a mechanism for management, administration, etc. • Covers termination/dissolution including division of assets/liabilities or partner withdrawal. • Is a body corporate – operate own bank accounts, invest and borrow money and make local laws. 	<ul style="list-style-type: none"> • Inflexible • Administrative/compliance requirements and costs. • Extra level of management/administration • CEO must be appointed under the LGA and salary determined by the Salaries and Allowances Tribunal.

3. An incorporated Association, model with a constitution outlining the roles and functions of the KRG and reporting requirements.

People with a common interest in activities such as sport, arts and culture, welfare, politics, or community service provision, decide to register as a ‘not-for-profit’ incorporated association because it enables them to create a separate legal entity through which to conduct their activities.

Section 3.60 of the Local Government act 1995 enables the formation, in specific circumstances, of an Incorporated Association.

3.60 No capacity to form or acquire control of body corporate

A local government cannot form or take part in forming, or acquire an interest giving it the control of, an incorporated company or any other body corporate except a regional local government or regional subsidiary unless it is permitted to do so by regulations.

[Section 3.60 amended: No. 26 of 2016 s. 6.]

Section 4 of the Associations Incorporation Act 2015 states that without limiting section 11(1), an association is eligible to be incorporated under this Act if:

- (a) it is formed and carried on for one or more of the following purposes:
 - (v) the purpose of establishing, carrying on or improving a community centre, or promoting the interests of a local community or a particular section of a local community;
 - (vi) the purpose of conserving resources or preserving any part of the environmental, historical or cultural heritage of the State;
 - (ix) the purpose of promoting the common interests of persons who are engaged in, or interested in, a particular business, trade or industry;
 - (x) any purpose approved by the Commissioner; and it has at least 6 members who under its rules have full voting rights; and it is not excluded by section 5 or under regulations made for the purposes of section 6.

Once an association becomes incorporated it acquires a new legal status – it becomes a legal entity in its own right, separate from the individual members. The Regional Capital Alliance of WA (RCAWA) are constituted under this model.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Formal agreement/constitution • Rigour in structure. • Allows involvement of industry groups if desired. • Strong commitment. • Greater flexibility than the existing regional council model. • State Government has no oversight role on an incorporated association. • Funding opportunities. 	<ul style="list-style-type: none"> • This structure does not allow for the undertaking of legislated functions of a local government, For example, functions such as town planning, regional road construction, waste management, building and environmental health could not be undertaken by an incorporated association. • Requires six members so may need more than the four Kimberley LGA’s as members to be able to be formed.

4. A Subsidiary Organisational Model

In 2016, the Local Government Act 1995 was amended to allow two or more local governments to establish a statutory corporation known as a regional subsidiary. A regional subsidiary is:

- managed by a board;
- governed by a charter; and
- a separate legal entity from the local governments who formed it.

The formation of a regional subsidiary is an exception to the general rule that local governments cannot acquire or form a corporation. However, a regional subsidiary can only be formed for non-commercial goals, such as providing services to the community or increasing the efficiency of existing local government operations. A subsidiary cannot borrow money from any entity aside from a member council. The debts of a subsidiary are also guaranteed by the local governments that formed it.

A regional subsidiary is designed to be a convenient way for local governments to pool their resources and cooperate more closely with neighbouring districts. In addition to increasing the efficiency of existing services, a regional subsidiary may increase the viability of new services which local governments want to provide. It may also form a mechanism for groups of local governments to come together to deal with region-specific issues. A regional subsidiary is:

- Similar to a Voluntary Regional Association of Councils (VROC) but is more binding on the participants.
- Similar to a Regional Council but has more flexibility and less reporting requirements.

The regional subsidiary is predominantly governed by its charter, which can be individually tailored to suit the subsidiary's activities and role in the community. Examples of what a regional subsidiary can potentially be formed to accomplish can include service provision; Community support; Facility management; Shared office services; Standardised procurement and tender processes; Local Road management; Regional advocacy; Tourism; Local implementation of State or Federal initiatives; and Community events and engagement.

The process for establishing a regional subsidiary is set out in the Local Government (Regional Subsidiary) Regulations 2017. This process involves: Preparing and advertising a business plan in each affected district; Drafting a charter for the subsidiary; and submitting the charter and business plan to the Minister for approval.

Once the Minister's approval is obtained, the subsidiary will exist as a legal entity from the day specified in the approval. Once a subsidiary is established, it will continue to operate as a separate legal entity until it is wound up in accordance with the charter or the Minister revokes the subsidiary's approval. The lifespan of a subsidiary will be specified in the subsidiary's charter, which in turn will depend on the role that the subsidiary is intended to perform.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Formal agreement/constitution. • Governance structure. • Flexibility. • Accountability. • Allows involvement of industry groups if desired. • Designed for local government. 	<ul style="list-style-type: none"> • Currently constrained by provisions in the Local Government (Regional Subsidiaries) Regulations 2017 which: <ul style="list-style-type: none"> ○ prohibits a regional subsidiary from entering into any land transaction or trading undertaking (defined in s 3.59 of the LGA as

<ul style="list-style-type: none"> • Can be used for all purposes envisaged by the PRC, and legislated functions of local government if desired down the track • Strong commitment. • Favoured by State Government, particularly if substantive local government service delivery is involved. 	<p>any activity carried on by a local government with a view to producing profit); and</p> <ul style="list-style-type: none"> ○ prohibits a regional subsidiary from borrowing money other than from one of the participating local governments. <ul style="list-style-type: none"> • Level of compliance, relative to Incorporated Association.
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Risk:

Governance - without clear governance arrangements the functioning of the group has the potential to lack clarity and consistency.

Reputational – lack of clarity by members and stakeholders on the governance of the KRG.

Link to Key Pillar/s and Strategies:		Budget Implications	
<p>People Place Prosperity Performance</p>	<p>Advocate Partner Promote Facilitate Fund Monitor</p>	<p>Nil</p>	
Resolution/s		Action(s)	
<ol style="list-style-type: none"> 1. That the members note the report. 2. That the members resolve to remain as a voluntary organisation at present and review circumstances in 12 months to see if an Association model is preferable at that time. 3. That the governance compliance papers be simplified accordingly. 		<p>Executive Team to simplify governance compliance papers.</p> <p>Item to be raised in 12 months.</p>	
Moved:	Shire of Wyndham East Kimberley	Responsible:	Executive Team
Seconded:	Shire of Derby West Kimberley	Due date:	As required
Carried:	4/4		

Attachment 10 KRG Signed MOU



Kimberley Regional Group Memorandum of Understanding

Background

In September 2010, the four Kimberley Shires, the Shire of Broome, Shire of Derby West Kimberley, Shire of Halls Creek and the Shire of Wyndham East Kimberley, came together as the Kimberley Regional Collaborative Group for the purpose of undertaking shared regional initiatives in the Kimberley region. Known today as the Kimberley Regional Group, the four Shires continue to show collective leadership and to work together to deliver positive outcomes and impact across the Kimberley region of WA.

Purpose of this MOU

This MOU outlines the vision, mission, objectives and shared values and principles of the Kimberley Regional Group. This MOU is to be read in conjunction with the Kimberley Regional Group Governance Agreement which outlines the governance and operational arrangements for the functioning of the Kimberley Regional Group to deliver on its vision, mission and objectives.

Our Vision

To maintain and enhance the rich diversity and liveability of the Kimberley Region for its people and the world.

Our Mission

To work collaboratively for the benefit of the people and the land of the Kimberley Region.



Our Objectives

- To provide regional leadership.
- To advocate on regional issues as they are identified and supported by member Shires.
- To encourage and foster cooperation and resource sharing on a regional basis.
- To strive to achieve the Strategic Goals and Outcomes of the KRG in accordance with the KRG's Regional Strategic Community Plan, in a manner that enhances and assists the advancement of the Kimberley Region

Our Principles

- Respecting the diversity of people, environment and culture
- Working proactively
- Communicating effectively
- Valuing success
- Fostering innovation
- Adaptability
- Working efficiently
- Outcome and impact focussed.
- Consideration of the interests of all Shires









Our values

- Collaboration
- Respect
- Integrity
- Openness
- Trust

Term of the MOU

The term of this MOU mirrors the term of the Kimberley Regional Group Governance Agreement which is four years from the date of the signing of the Agreement.



 <p>Signature:  Cr Desiree Male, Shire President Shire of Broome Date 1/7/2023</p>	 <p>Signature:  Cr Geoff Haerewa, Shire President Shire of Derby West Kimberley Date 1/7/2023</p>
 <p>Signature:  Cr Malcolm Edwards, Shire President Shire of Halls Creek Date 1/7/2023</p>	 <p>Signature:  Cr David Menzel, Shire President Shire of Wyndham East Kimberley Date 1/7/2023</p>

13. Kimberley Regional Group Priority Action List

Item for Discussion

Submitted by: Secretariat

Attachment 11: KRG Prioritised Action List

Attachment 12: KRG Full List of Ranked Projects

Purpose

To confirm priority actions for the KRG over the next twelve months.

In summary

- In November 2022 the Kimberley Regional Group held a workshop to discuss key priorities.
- At the February 2023 meeting the KRG noted a draft action plan from the workshop.
- At the April 2023 meeting the KRG noted the Workshop Report and the Priority Action List and confirmed the priority focus areas of housing; community safety and crime prevention; government services; juvenile justice; management of alcohol and other drugs; and prosperous diverse economy, and key actions to be progressed over the next six months
- Given the extensive list of actions, the Executive Team, after discussion with the KRG secretariat, has prioritised the actions based on determining their impact and effort and their priority – this is outlined in the attached Priority Action 2023/24 list.
- Given that an action plan was developed to reflect KRG priorities, it is recognised that these actions are all important. The comments section has outlined where other agencies may be authorised to or better placed to drive some of these actions vis a vis the KRG being the lead.
- Feedback from the KRG if the actions that have been prioritised reflects the KRG delegate's focus.
- It must be noted that the priority actions do not preclude other activities from occurring, in particular seizing opportunities as they arise.

Background:

- As above

Details:

The Executive Team undertook a workshoping exercise to go through all of the actions coming out of the Strategic Plan and applied a rigorous assessment to identify highest priority actions. This assessment applied a matrix methodology using impact and effort rankings based on feasibility and cost to determine these actions. The following activities are the key actions based on the scoring method.

Risk:

- Operational - Without agreement on the priority work to be progressed by KRG members and the Executive Team opportunities may be missed

Link to Key Pillar/s and Strategies:		Budget Implications				
<table border="1"> <tr> <td> People Place Prosperity Performance </td> <td> Advocate Partner Promote </td> <td> Facilitate Fund Monitor </td> </tr> </table>	People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor		Additional consultancy money to progress some actions to be considered after a scope of works has been presented for endorsement	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor				
Resolution/s		Action(s)				
<p>1. That the KRG confirms the priority focus areas and key actions that are to be progressed by the KRG over the next twelve months.</p> <p>2. Members review the original project list attached and rankings assigned, and advise of any additional actions that may be considered for progression.</p>		<p>KRG members to provide any feedback to the Executive Team before 7/7/2023.</p> <p>Executive Team allocate resources from contract hours to implement.</p> <p>Executive Team scope out project costings for additional consultancy work as required.</p>				
Moved:	Shire of Wyndham East Kimberley	Responsible:	KRG members Executive Team			
Seconded:	Shire of Derby West Kimberley	Due date:	As required			
Carried:	4/4					

Attachment 11 KRG Prioritised Action List

Type of activity	Action	Additional information
Advocate	<p>Develop a stakeholder engagement and communications plan, and advocacy strategy, to drive the actions identified in the Housing Policy Position ie.</p> <ul style="list-style-type: none"> • State and federal social and affordable housing investment programs target the Kimberley. • The DPLH support Shires to review housing needs in each town. • Changes to Government Regional Officer Housing and Home Ownership Subsidy Scheme policies • Government incentives for new supply • Changes to finance lending practices for home purchase 	
Advocate	Advocate for policy changes to the transfer of Crown land to freehold for the provision of housing, with savings allocated for headworks or other activities to facilitate development.	
Facilitate and partner	Develop strong relationships with NHFIC (National Housing Finance Investment Corporation), Development WA and the Department of Communities – invite CEOs to KRG meeting to discuss partnership opportunities.	
Advocate	Develop a stakeholder engagement, communications and advocacy strategy in line with the Policy Positions.	
Advocate / Facilitate	Review the KRG land policy and strategy.	
Advocate	Develop policy position on the Cashless Welfare Card.	
Monitor and advocate	Develop a scope of works and commission research to understand the funding shortfall facing Kimberley Councils to inform an advocacy strategy for increased financial assistance from state and federal government.	Consultant needed
Advocate	<ul style="list-style-type: none"> • Increase support for mitigation measures, • infrastructure replacement to be more resilient. • Removal of the distinction between ordinary and additional costs in NDR payments. • Streamlined contracting and procurement processes, surety to payments, and immediate access to NDR funds. 	Two Federal inquiries support advocacy on this issues

Advocate	<ul style="list-style-type: none"> • Expansion of mental health services. • Expansion of family and domestic violence services. • Expansion of Aged care services. • Health facilities that are fit for purpose in Aboriginal communities. 	Good data needed Opportunity to partner with Kimberley NGOs on joint advocacy.
Facilitate and Partner	<p>Develop a collective a Kimberley Housing Investment Strategy and pitch that outlines what's been done to date and future opportunities including:</p> <ul style="list-style-type: none"> • List of priority projects • Cost to deliver these homes and partnership opportunities. • Funding strategy to implement identified projects. 	Consultant
Partner	<ul style="list-style-type: none"> • Develop a joint project to quantify shire expenditure on vandalism/property crime • Develop a Local Government community safety package for Ministers Winton, Carey and Papalia – ie. Street lighting (LED), CCTV, infrastructure, policing, child centred – preventative services and wrap around services. 	Consultant
Advocate	Advocate for whole of family approach and wrap around services to be located in the Kimberley.	
Advocate	Develop advocacy strategies to encourage economic diversification including; mining; tourism; agriculture; defence; creative Industries; small business; Indigenous business growth	
Advocate	Advocate for MOG initiatives around better place based regional service delivery to be progressed.	
Monitor	Understand the level of subsidy Shires are providing for core government services.	

Attachment 12 KRG full list of ranked projects

Kimberley Regional Group
Priority Actions 2023 / 2024

Notes to explain scoring process

I = Impact – 1 is low and 5 is high
E = Effort – 1 is high effort and 5 is low effort
P = Priority – 1 is low priority and 5 is high priority
T = Total – this score is from the impact, effort and priority scores – higher scores are more advantageous
Activities highlighted in red indicate key actions to progress based on this scoring method.

Green – complete

Orange = in train

Our people - Housing

Objective	Strategies	Actions	I	E	P	T	Comment
Fit for purpose housing is available to meet current and future individuals, business, industry, government	Advocate	Develop a stakeholder engagement and communications plan, and advocacy strategy, to drive the actions identified in the Housing Policy Position eg <ul style="list-style-type: none"> State and federal social and affordable housing investment programs target the Kimberley. The DPLH support Shires to review housing needs in each town. Changes to Government Regional Officer Housing and Home Ownership Subsidy Scheme policies Government incentives for new supply Changes to finance lending practices for home purchase 	5	5	5	15	Housing a Federal and State government focus
	Advocate	Advocate for policy changes to the transfer of Crown land to freehold for the provision of housing, with savings allocated for headworks or other activities to facilitate development.	5	5	5	15	
and the local community.	Facilitate	Encourage Community Housing Providers (CHPs) and Indigenous Organisations to invest in additional housing in the region.	5	3	3	11	NHFIC and WA Government investment is through CHPs – will open up new funding avenues.
	Facilitate	Ensure Shire local planning schemes and that Regional Planning and Infrastructure Frameworks consider housing needs.					REMOVE Individual Council in-house work
	Facilitate and partner	Understand individual Shire's current and projected housing need and product mix needed. Identify land and housing opportunities including: <ul style="list-style-type: none"> DWA or Department of Communities project opportunities. Underutilized freehold or Crown land suitable for housing. Changes to the transfer of Crown land for housing in the Kimberley. Private sector projects in need of support and assistance. 	5	2	4	10	Consultant needed Practical response by Shires
	Facilitate and partner	Develop a collective a Kimberley Housing Investment Strategy and pitch that outlines what's been done to date and future opportunities including: <ul style="list-style-type: none"> List of priority projects Cost to deliver these homes and partnership opportunities. Funding strategy to implement identified projects. 	5	3	4	12	Consultant, Graphic Design, Printing Housing projects included in the Investment prospectus
	Facilitate and Partner	Develop strong relationships with NHFIC (National Housing Finance Investment Corporation), Development WA and the Department of Communities – invite CEOs to KRG meeting to discuss partnership opportunities.	5	5	5	15	

Our People - Community Safety and Crime Prevention and Juvenile Justice

Objective	Strategies	Actions	I	E	P	T	Comment
Crime is reduced both across the region and by location	Advocate	Develop White Paper with a clear position on crime reduction and community safety. Paper to include; <ul style="list-style-type: none"> Position on age of criminal responsibility Incorporate a reflection on the Kimberley Juvenile Justice Strategy, Kimberley Youth and Community Justice Response, At Risk Youth Strategy 2022-2027, WA Target 120, Youth Suicide Responses, Closing the Gap, Royal Commission, and justice reinvestment model 					Policy position developed
	Advocate	Develop a stakeholder engagement, communications and advocacy strategy in line with the Policy Positions.	5	4	5	14	
		Update KRG Youth Strategy <ul style="list-style-type: none"> Identify priority regional youth services. Identify Local Government support for youth services. Prepare Youth Services Priorities document to support Advocacy.	2	1	2	5	Consultant, graphic design, printing needed. Previous strategy needs significant work
	Monitor	Present regional crime statistics and trends at each KRG meeting, Present an update on KJJS actions at each meeting	3	5	2	10	Can be downloaded from WAPOL website
	Monitor	Monitor and benchmark funding committed to the provision of diversionary programs across the Kimberley.	3	1	2	6	
	Partner.	Develop a joint project to quantify shire expenditure on vandalism/property crime. Develop a Local Government community safety package for Ministers Winton, Carey and Papalia – ig Street lighting (LED), CCTV, infrastructure, policing, child centred – preventative services and wrap around services.	5	2	5	12	Consultant
	Promote	KRG members to consider youth awards in local government awards programs.					REMOVE Individual Council in-house work

Our People - Management of Alcohol and Other Drugs

Objective	Strategies	Actions	I	E	P	T	Comment
Substance abuse and associated harm is reduced.	Advocate	Fit for purpose Banned Drinkers Register (BDR), Take Away Alcohol Management System (TAMS) A consistent approach to alcohol management across the Kimberley Explore the introduction of Protected Entertainment Precincts (PEP) into the region.					Government bill in train
	Advocate	Develop policy position on the Cashless Welfare Card.	3	5	5	13	
	Advocate	Advocate for whole of family approach and wrap around services to be located in the Kimberley.	4	4	3	12	
	Monitor	Present alcohol and other drug usage data at each KRG meeting to monitor trends.	3	1	3	7	Need to find where to access this data
	Partner	Formalise a partnership on Regional Alcohol Reform and Regional Alcohol Action Plan with key stakeholders.	5	1	4	10	Consultant

Our Prosperity – Prosperous Diverse Economy

Objective	Strategies	Actions	I	E	P	T	Comment
The Kimberley region is prosperous with a diversified and sustainable economy.	Advocate. Facilitate	Update the KRG Investment Prospectus Develop advocacy strategy for agreed infrastructure priorities. Advocate for the Kimberley Regional Planning Infrastructure Framework to be reviewed and implemented.	5	4	5	14	Prospectus done. Need to develop advocacy strategy
	Partner	Review the KRG land policy and strategy.	5	4	5	14	Consultant
	Facilitate	Understand current government assets in the Kimberley, which ones are not being utilised, why and plans for the asset. Assess and develop proposals for underutilised land and property assets.	5	1	3	9	Consultant

	Advocate	Develop advocacy strategies to encourage economic diversification including; mining; tourism; agriculture; defence; creative Industries; small business; Indigenous business growth	5	2	5	12	
	Monitor and advocate	Understand current incentives to support local jobs in the region ie DAMA. Advocate for increased financial and tax incentives to support local business and industries.	5	3	3	11	Consultant Core role of the CCI
	Advocate	Understand government's policy for renewable energy and advocate for renewable energy options.	5	3	3	11	

Our Performance – Provision of Government Services

Objective	Strategies	Actions	I	E	P	T	Comment
Improved government planning and co-ordination of services to deliver better outcomes.	Advocate	Improved District Leadership governance and accountability.	4	2	3	9	Communities are meant to drive this.
	Advocate	Advocate for MOG initiatives around better place based regional service delivery to be progressed.	5	2	5	12	
	Advocate	Development of and whole of government reporting on Kimberley service targets.	4	1	2	7	Government and Treasury would need to drive this
	Monitor	Understand the level of subsidy Shires are providing for core government services.	5	2	5	12	Consultant
	Advocate Monitor and facilitate	Understand state and federal Government service allocation models across the Kimberley – Advocate for a community service needs assessment and a co-designed government service model. Develop a policy position on Hub and Spoke vs place-based service provision.	5	1	5	11	Consultant
	Advocate	Development of the WADI to inform the allocation of funding and services.					

	Advocate	Sustainable funding of community services.	5	1	2	8	WACOSS is leading this agenda
	Monitor and Advocate	Develop a scope of works and commission research to understand the funding shortfall facing Kimberley Councils to inform an advocacy strategy for increased financial assistance from state and federal government.	5	3	5	13	Consultant
HOUSING		See Housing Section					
EMERGENCY MANAGEMENT	Advocate	Increase support for mitigation measures, infrastructure replacement to be more resilient. Removal of the distinction between ordinary and additional costs in NDR payments. Streamlined contracting and procurement processes, surety to payments, and immediate access to NDR funds.	5	3	5	13	SWEK Disaster Resilience Study may inform this Opportunity to put submissions to Senate and Funding reviews
HEALTH	Advocate	Expansion of mental health services. Expansion of family and domestic violence services. Expansion of Aged care services. Health facilities that are fit for purpose in Aboriginal communities.	5	4	3	13	Good data needed Opportunity to partner with Kimberley NGOs on joint advocacy.
EDUCATION AND TRAINING	Advocate	Advocate for the Department of Education to develop a Truancy Action Plan. Advocate for alternative educational options – is a stockman's academy/cattle and kids programs. Develop advocacy document to support the provision of enhanced post school employment pathways. Advocate for a Kimberley Schools Program that addresses the support young people need to attend school - food / fatigue / shelter.	3	3	3	9	Consultant
JUSTICE AND PUBLIC SAFETY		See Community Safety and Crime Prevention Section					

14. Natural Disaster Resilience and Recovery Inquiries

Item for Discussion

Submitted by: Executive Officer

Purpose:

To provide an update to members on current emergency management review processes and work being progressed by the KRG.

In summary

- Two Federal emergency management review processes are underway;
 1. Independent Review of Commonwealth Disaster Funding,⁶ with an 18-month timeframe; and;
 2. A Senate Select Committee on Australia's Disaster Resilience to inquire into Australia's preparedness, response and recovery workforce models, as well as alternative models to disaster recovery⁷ with an open time-frame.
- Submissions are being prepared for the KRG for both reviews, based on information provided by members.
- At a state level the State Emergency Management Committee (SEMC) and the WA Local Government Association (WALGA) are working with key stakeholders to identify issues with Local Emergency Management Arrangements (LEMA) and investigate and develop options for improving the LEMA process.
- The aim of the LEMA Review is to develop a LEMA Improvement Plan, including an implementation plan, by 30 June 2023.

Background:

Kimberley Shires have consistently raised concerns with Federal, State and local emergency management arrangements. These two inquiries provide an opportunity to again highlight the issues facing Kimberley Councils in relation to emergency management. The Secretariat will prepare a KRG submission for these inquiries based on input from members, including information in individual Council submissions and evidence presented by Councils to the inquiries.

The Senate Committee is undertaking public hearings. Hearings were held between the 15th and 17th of May 2023 in Kununurra, Fitzroy Crossing and Broome, with transcripts of these hearings on the Committee website. There was good representation from the Kimberley Regional Group with all four Shires appearing at the hearings.

People who appeared before the Senate Committee in Kununurra were

- Berger, Mr Chuck, Chief Executive Officer, Kimberley Development Commission,
- **Chafer, Mr Tony, Deputy President, Shire of Wyndham East Kimberley,**
- Jenkins, Ms Prue, Chief Executive Officer, Wunan Foundation,
- McConachy, Mr Michael, Managing Director, Aviair, and Managing Director, Helispirit,

⁶ <https://nema.gov.au/about-us/governance-and-reporting/reviews/Independent-Review-Disaster-Funding>.

⁷ https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Disaster_Resilience.

- **Menzel, Mr David, President, Shire of Wyndham East Kimberley**
- **Nagaiya, Mr Alfred, Senior Economic Development Officer, Shire of Wyndham East Kimberley**, Raymond, Mr Daniel, Chief Executive Officer, Ord River Cooperative,
- Smith, Mr Matt, Chief Executive Officer, MG Corporation,
- Smith, Ms Clare, Chief Executive Officer, East Kimberley Chamber of Commerce and Industry,
- Thomson, The Hon. Neil, MLC, Member for the Mining and Pastoral Region, Western Australian Parliament.

People who appeared before the Committee in Broome

- **Kipkurgat, Mr Stephen, Manager Health, Emergency and Rangers, Shire of Broome**
- **Mitchell, Mr Christopher, Deputy Shire President, Shire of Broome**
- O'Donnell, Mrs Vicki May, Chief Executive Officer, Kimberley Aboriginal Medical Services Ltd
- Parriman, Ms Sarah, Deputy Chief Executive Officer, Kimberley Land Council
- **Williams, Mr Keith, Acting Chief Executive Officer, Shire of Broome**

People who appeared before the Committee in Fitzroy Crossing

- Bergmann, Mr Wayne, Managing Director, Leedal
- Carter, Ms Emily, Chief Executive Officer Marninwarntikura Women's Resource Centre
- Carter, Ms Maureen, Chief Executive Officer, Nindilingarri Cultural Health Services
- **Davis, Mr Geoff, Councillor, Shire of Derby-West Kimberley**
- **Dexter, Ms Amanda, Chief Executive Officer, Shire of Derby-West Kimberley**
- **Edwards, Mr Malcolm, President, Shire of Halls Creek**
- Giometti, Mr Antonio, Chief Executive Officer, Marra Worra Worra Aboriginal Corporation
- Green, Mr Patrick, Chairman, Leedal
- **Haerewa, Mr Geoff, President, Shire of Derby-West Kimberley**
- Hams, Mr Phillip, Private capacity
- Murray, Mr Peter, Chairperson, Walmajari, Marra Worra Worra Aboriginal Corporation
- **Neate, Mr Wayne, Director, Technical and Development Services, Shire of Derby-West Kimberley**
- Ross, Mr Joe, Private capacity
- Thomas, Ms Sue, Strategic Policy Lead, Marninwarntikura Women's Resource Centre

A briefing is scheduled with the Secretariat on the 7th of June 2023 to discuss opportunities for the members of the Kimberley Country Zone to contribute their insights into this review noting that there will be multiple opportunities to engage throughout the review process.

Details:

The following provides more details on each of these inquiries.

One - Independent Review of Commonwealth Disaster Funding

The Australian Government has commissioned an [Independent Review of Commonwealth Disaster Funding](#). The Review considers how Commonwealth arrangements for disaster funding can be optimised to enable a system which supports wellbeing, national productivity, prosperity, and economic security and maintains state, territory and local government roles and responsibilities in the context of projected increase in natural disasters over the coming decades. Andrew Colvin AO has been named as the Independent Reviewer and will be supported in his Review by the National Emergency Management Agency (NEMA) Review Taskforce and the Deloitte Independent Review Team.

The KRG Executive Officer attended a WA briefing on this review held by the Deloitte's review team on Wednesday 7th June 2023. It is expected that the Review will take 18 months and there will be extensive consultation across all levels of government, as well as with industry, businesses, community groups, and the not-for-profit sector. A final report is expected to be provided to Government in April 2024.

Terms of Reference

The review is to consider and report on:

- The Commonwealth arrangements for funding disaster risk reduction, preparedness, response and recovery and identify the areas of reform required to ensure they support a system that is scalable, sustainable, effective, equitable, transparent and accessible.
- Options to embed resilience and risk reduction into response and recovery funding and how the Commonwealth can incentivise states and territories to better manage risks and mitigate recovery costs.
- Options within Commonwealth, states and local governments (including cost sharing) to encourage greater investment in disaster risk reduction and resilience to help constrain growing disaster recovery costs.
- Areas of further work (outside of the scope of the review) that would help to enhance Australia's overall disaster risk reduction, recovery and response efforts, including through the private sector.

This will include an examination of:

- Australia's funding environment, in the context of the multiple natural disasters over the last three years and the projected escalating costs of recovery due to the likely increase of natural disasters.
- Areas of duplication/gaps/opportunities to streamline funding to align with best practice.
- Processes, protocols and guidelines (e.g., funding activations, evidence and eligibility criteria, audit requirements).
- Commonwealth investments in other portfolios (as determined by the Review) which deliver disaster resilience outcomes and how transparency and reporting can be improved to provide a more complete and accurate picture of Commonwealth investment.

Two - The Senate Select Committee on Australia's Disaster Resilience

This Committee was appointed by resolution of the Senate on 30 November 2022 to inquire into Australia's preparedness, response and recovery workforce models, as well as alternative models to disaster recovery. The committee will consider the role of the Australian Defence Force, volunteer groups, not-for-profit organisations and state-based services, and the support required to improve Australia's resilience and response to natural disasters.

The Chair of the Committee is Senator Jacqui Lambi. The Hon. Linda Reynolds, Senator for WA, is a committee member.

Terms of Reference

The Committee is to inquire into and report on:

- (a) current preparedness, response and recovery workforce models, including:
 - i. the role of the Australian Defence Force in responding to domestic natural disasters,
 - ii. the impact of more frequent and more intense natural disasters, due to climate change, on the ongoing capacity and capability of the Australian Defence Force,
 - iii. the impact on the Australian Defence Force in responding to domestic natural disasters, and
 - iv. the role of Australian civil and volunteer groups, not-for-profit organisations and state-based services in preparing for, responding to and recovering from natural disasters, and the impact of more frequent and more intense natural disasters on their ongoing capacity and capability;
- (b) consideration of alternative models, including:
 - i. repurposing or adapting existing Australian civil and volunteer groups, not-for-profit organisations and state-based services, and
 - ii. overseas models and best practice;
- (c) consideration of the practical, legislative, and administrative arrangements that would be required to support improving Australia's resilience and response to natural disasters; and
- (d) any related matters.

The committee is currently accepting submissions on a rolling basis with no specific closing date.

Risk:

Reputational - if key issues facing Kimberley communities are not brought before the Committees
Financial – An opportunity cost to prosecute the case for increased and more timely investment into emergency management in the Kimberley.

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	
Resolution/s		Action(s)	
<p>That</p> <ol style="list-style-type: none"> The Executive Team will seek to engage with the WALGA Working Group on behalf of the KRG Members note that the KRG will make a written submission to the two inquiries taking into consideration the State Emergency Services Minister’s advice Members approve the drafting of a Emergency Services position paper 		Executive Team to: <ul style="list-style-type: none"> Seek to engage with the WALGA Working Group draft KRG submissions draft KRG Emergency Services position paper 	
Moved:	Shire of Wyndham East Kimberley	Responsible:	Executive Officer
Seconded:	Shire of Derby West Kimberley	Due date:	As required
Carried:	4/4		

15. State and Federal Budget Overview – Kimberley Perspective

Item for Noting

Submitted by: Executive Team

Attachment 13 High-level 2023/24 State and Federal Budget Summary

Purpose

To provide a brief summary of regional and Kimberley initiatives in 2023/24 Federal and State government budgets to inform advocacy.

In summary

- The Federal Budget 2023-24 was handed down on the 9th May 2023.
- The Western Australian 2023-24 Budget was handed down on the 11th May 2023.
- A high-level summary of initiatives that may be of interest to the Kimberley Regional Group has been compiled by the Executive Team.

Background:

- As above

Details:

- As outlined in the attached high-level summary

Risk:

- Reputational - Without an understanding of the state and federal policy context advocacy may not be sharp and contemporary.

Link to Key Pillar/s and Strategies:		Budget Implications	
<div style="border: 1px solid black; padding: 5px;"> People Place Prosperity Performance </div>	<div style="border: 1px solid black; padding: 5px;"> Advocate Facilitate Partner Fund Promote Monitor </div>	Nil	
Resolution/s		Action(s)	
That the KRG notes initiatives in the 2023-24 Federal and State Budgets.		Nil	
Moved:	Shire of Derby West Kimberley	Responsible:	
Seconded:	Shire of Wyndham East Kimberley	Due date:	
Carried:	4/4		

Attachment 13 High-level 2023/24 State and Federal Budget Summary

Federal Budget 2023 - 2024

The Federal Budget 2023/24, Stronger foundations for a better future, was handed down in May 2023. A key part of this budget was preparing to respond to structural shifts shaping the economy including the growing care and support economy, expanding use of data and digital technology, and climate change and the net-zero transformation.

The Australian Local Government Association (ALGA) welcomed the Federal Budget as a solid investment in local government, with councils receiving \$3.1 billion in Financial Assistance Grants over the next 12 months. However, ALGA stated that it is disappointing that another Federal Budget has passed without the Government delivering on their pre-election promise of 'fair increases' to these grants. ALGA commented that Councils would miss the Local Roads and Community Infrastructure (LRCI) Program, which was not extended in the Budget⁸. ALGA noted that the LRCI Program will be partially offset by two new urban funding programs – a \$200 million Thriving Suburbs Program and a \$150 million Urban Precincts and Partnerships Program, alongside the Growing Regions and Regional Precinct Funds.

WALGA stated that, *"It is disappointing the Government did not deliver on its commitment to a fair and reasonable increase in Financial Assistance Grants. This year, \$3.1 billion has been provided for Financial Assistance Grants funding, with WA to receive \$376.9 million. Financial Assistance Grants now represent 0.5% of total Commonwealth Tax revenue, down from 0.52% in 2022-23."*

The information presented below outlines budget highlights for regional WA⁹. These initiatives include funding over the forward estimates.

- Establish a **Regional Investment Framework** (People; Places; Services and Industry) and restore the **'State of the Regions'** reporting.
- \$600 million **Growing Regions** Program for community and economic infrastructure projects.
- \$200M **Disaster Ready Fund** continues.
- \$236.0 million over 10 years to remediate **flood warning infrastructure**.
- \$10 million National **Waste Education Campaign**.
- \$1.7 million to update **'Our North, Our Future: White Paper on Developing Northern Australia**.
- \$43.6 million to **establish the National Road Safety Action Grants Program**.
- \$8.5 million to increase funding for the **Regional Arts Fund**.
- \$13.5 million for **an additional round of the Remote Airstrip Upgrade Program**.
- \$83.2 million over 4 years to **establish a national Net Zero Authority**
- \$1 billion to **strengthen Australia's biosecurity system**.
- \$5.6 million to **phase out of live sheep exports**.
- \$5 million to develop a renewed Australian **Animal Welfare Strategy**
- \$199.8 million **to address entrenched community disadvantage**, which includes \$100 million to establish a **social impact investment Outcomes Fund**.

⁸ <https://alga.com.au/solid-budget-for-local-government-council-funding-tops-3-billion/>

⁹ This is taken from the Regional Ministerial Budget Statement 2023–24 Working Together To Build Strong And Sustainable Regions, A Statement by The Hon Catherine King MP Minister for Infrastructure, Transport, Regional Development and Local Government and The Hon Kristy McBain MP Minister for Regional Development, Local Government and Territories, 9th May 2023

Housing

- Tax deductions to encourage investment and construction in **build-to-rent**.
- \$2 billion increase to **NHFIC Government-guaranteed liability cap** to enable more low-cost loans to Community Housing Providers
- Amending NHFIC's Investment mandate to allocate a **minimum of 1,200 homes to be** in each state and territory.
- \$2.7 billion to **increase the maximum rates of the Commonwealth Rent Assistance (CRA)** allowances by 15 per cent.
- \$1 billion **Household Energy Upgrades Fund** to improve energy performance.
- \$300 million **energy performance upgrades in 60,000 social housing properties**.
- \$36.7 million to modernise and expand **energy efficiency standards**, includes expanding Nationwide House Energy Rating Scheme

WA Government Budget 2023 / 24

The WA 2023-24 Budget, handed down in May 2023, aims to deliver cost of living support for all Western Australians. It provides further investment in health, housing supply, and WA's transition to clean energy¹⁰. Budget papers indicate;

- A \$3.3 billion **net operating surplus** forecast for 2023-24 as a result of strong increase in royalty income, Commonwealth Grants, and property tax revenues. Surpluses in excess of \$2 billion are expected to be maintained across the forward estimates.
- **Net Debt** \$27.9 billion at 30 June 2023.
- An ongoing funding commitment to the **State Road Funds to Local Government**.

The information below is taken from the budget papers, WA government media releases¹¹ and WALGA's budget analysis¹². **Kimberley specific initiatives highlighted in red.**

General interest

- \$1.25 million **Urban Greening Grants** in partnership with WALGA.
- \$40 million to **accelerate critical minerals discoveries**.
- \$7.3 million **New Industries Fund**.
- \$3 billion to **decarbonise electricity production**.
- \$2.75 million **Aboriginal Tourism Fund**.
- \$3.6 million to assist with **mid-tier transport planning**.
- \$5.5m to DPLH to integrate climate adaption into policy and planning frameworks.
- Additional \$15 million to the **Community Sport and Recreation Facilities Fund**.
- Additional \$1.1 million to Department of Fire and Emergency for a new **Emergency Services Act**.
- \$81.7 million to upgrade and maintain the State's **emergency radio network**.
- \$24.4 million to appoint 29 dedicated **disaster recovery officers**.
- Additional \$52.5 million for **Family and Domestic Violence services**.

¹⁰ <https://www.ourstatebudget.wa.gov.au/2023-24/budget-papers/2023-24-wa-state-budget-overview.pdf>

¹¹ [https://www.mediastatements.wa.gov.au/Pages/McGowan/2023/05/McGowan-Government-delivering-strong-future-for-the-](https://www.mediastatements.wa.gov.au/Pages/McGowan/2023/05/McGowan-Government-delivering-strong-future-for-the-Kimberley.aspx#:~:text=%22Our%20significant%20regional%20investment%20continues,improve%20lives%20across%20the%20State.%22)

[Kimberley.aspx#:~:text=%22Our%20significant%20regional%20investment%20continues,improve%20lives%20across%20the%20State.%22](https://www.mediastatements.wa.gov.au/Pages/McGowan/2023/05/McGowan-Government-delivering-strong-future-for-the-Kimberley.aspx#:~:text=%22Our%20significant%20regional%20investment%20continues,improve%20lives%20across%20the%20State.%22).

¹² <https://walga.asn.au/policy-advocacy/our-advocacy-positions/state-and-federal-budgets/state-budget-2023-24-highlights/state-budget-analysis>.

- \$24.4 million to implement initiatives in **Planning Reform Phase Two**. This includes the establishment of a determination pathway for State and regionally significant developments.
- \$77 million to manage and protect **Aboriginal cultural heritage** including support for new Local Aboriginal Cultural Heritage Services.

Regional – generic

- \$2.7 billion to **subsidise the cost of water and electricity to regional residents**.
- \$20.7 million boost for **Regional Airfare Zone Cap**.
- \$29.9 million for regional **ports** upgrades.
- \$750,000 for a study into **Remote Aboriginal Community Airstrips**.
- \$6.5 million to **Implement the Aquaculture Development Plan for WA**
- Additional \$12 million for the **Regional Development Assistance Program** for residential, industrial, commercial and tourism-related land and infrastructure projects.
- \$13.6 million **Aboriginal Ranger Program**.
- \$3.7 million **Climate resilience in Aboriginal communities**.
- \$3.13 million **Rural Water Planning Program**.
- \$2.2 million **EV Smart Charger and Vehicle-to-Grid trial through Horizon Power**.
- \$2 million from the New Industries Fund to **support regional entrepreneurs** in the innovation sector.
- \$2.5 million to increase the travel accommodation allowance for **regional TAFE students**.
- \$2.9 million weekly allowance for **regional students studying a Diploma of Nursing**.

Regional health and mental health

- Over \$2.2 billion per annum on **regional health and mental health services**.
- \$28.5 million for initiatives to **attract and retain key health and mental health professionals**, primarily to work in regional WA, with **priority given to hard-to-staff sites**.
- \$24.4 million to extend the 24/7 **Mental Health Emergency Telehealth Service**.
- **\$5.4 million to continue the delivery of psychiatric services in the East Kimberley.**
- **\$8.2 million to upgrade WA Country Health Service staff housing, including safety and security upgrades in the Kimberley.**
- \$6.3 million to extend **regional cancer services**.
- Additional \$6.7 million towards **Regional Renal Support Teams**.

Housing

- \$48 million in training initiatives to **expand the residential construction workforce**.
- Additional \$61.6 million for **Government Regional Officer Housing (GROH)**.
- \$49 million to partner with community housing providers to provide **100 social homes across regional WA** in a supported landlord model for rough sleepers.
- \$450 million into the **Social Housing Investment Fund**.
- **Additional \$1.3 million through the North-West Aboriginal Health Fund to deliver more affordable accommodation for medical service employees in Halls Creek.**

Roads, ports and airports

- Additional \$407 million on regional road projects and initiatives.
- \$175 million boost to the Commonwealth-State funded Regional Road Safety Program.
- **\$15 million for upgrades at the Port of Broome, including a new concrete deck.**
- **\$1.8 million for electrical upgrades at the ports of Wyndham and Derby.**

- \$800,000 to lock in a permanent **third weekly return air service between Kununurra, Halls Creek and Balgo.**
- \$2.3 million to **seal Warmun airstrip.**

Key Kimberley initiatives include:

- \$3.1 million to expand the **Heavy Vehicle Driver Training Program** to Kimberley and Pilbara.
- \$8.7 million to facilitate **agricultural development in the Ord River Irrigation Area** through managing environmental obligations.
- \$3 million to extend the **Affordable Airfares program** for a further twelve months, subsidising over 34,000 airfares from Perth to Broome and Kununurra.

Building safe, strong and fair regional communities, with initiatives in the Kimberley including:

- \$11.7 million to **extend Operation Regional Shield**, to deliver police into regional communities experiencing youth crime issues.
- \$11.8 million towards the **Kimberley Juvenile Justice Strategy**, including continuing successful night patrols and structured activities for young people.
- \$11.7 million to continue the **Target 120 rollout** across the regions.
- \$16.3 million to establish a one-stop **family and domestic violence hub in Broome.**
- \$1.1 million to continue the **Respectful Relationships Teaching Support Program** and the provision of culturally appropriate services for victims of family and domestic violence.
- \$10.4 million to enhance **the Banned Drinkers Register**, including across Kimberley.
- \$9.5 million to **consolidate accommodation in Kununurra** for WA Police and Departments of Communities and Justice.
- \$5.8 million to extend the successful **Driving Access and Equity program** to deliver driver training to disadvantaged young people.
- \$4.9 million to continue the **Regional Athlete Support Program.**
- an additional \$42.6 million for **upgrades to water and wastewater systems** in remote communities.

Tackling climate change through a \$3 billion package and protecting the environment. Kimberley initiatives include:

- \$31.3 million for an **Industry Support and Transition Package** and to support management of **the Buccaneer Archipelago Marine Parks.**
- \$2.2 million to deliver an Electric Vehicle Smart Charger and Vehicle-to-Grid trial through Horizon Power.

Flood Relief

- \$13.4 million to fund a taskforce to manage and support recovery - building on the multi-million-dollar support packages secured under joint Commonwealth-State Disaster Recovery Funding Arrangements, including funding temporary residential accommodation and a freight assistance scheme to support Kimberley businesses.

Ongoing commitments that build on the projects and programs already underway in the Kimberley, including:

- \$4.4 million for canteen upgrades and **new STEM classroom at Broome Senior High School.**
- \$10 million for a new classroom block and upgrades at **Halls Creek District High School.**
- \$51 million to **upgrade Duncan Road and Gordon Downs Road** in the Browns Range.

- \$113 million for **the Ord River North, Great Northern Highway upgrades.**
- \$110 million over the next four years for **upgrades to Tanami Road, near Sturt Creek.**
- \$15 million to deliver the **Marlamanu on-country diversionary program.**
- \$6 million towards the **redevelopment of the Kununurra Aquatic and Leisure Centre.**
- \$2.3 million for upgrades to the **Warmun Community sporting facility.**

16. Kimberley Crime Statistics

Item for Noting

Submitted by: Submitted by: Secretariat

Attachment 14: Monthly Crime Statistic Trend data for 2022/23 for each Kimberley Town and Annual Crime Statistic Trend Data for Regional WA

Purpose:

To provide regional crime trend data to inform advocacy.

In summary

- The KRG Priority Action Plan lists community safety and crime prevention and juvenile just as a priority action area, with the presentation of regional crime statistics and trends at each KRG meeting.
- Trend data is presented for Kimberley towns for 2022/23, noting that this data was updated on the 4th May 2023
- Crime Statistics for Regional WA as a benchmark comparison. It must be noted that this presents annual from 2013/14, and the last column presents data for 2022/23.
- The Crime Statistics as presented are raw data. There is no whole of Kimberley statistics or analysis of them, for example offences as a percentage of the population or demographic characteristics.

Background:

- WA Police Crime statistics are updated onto the WA Police website on a quarterly basis in the last week of January, April, July and October, noting that offence count data is subject to revision as police investigations may not be finalised at the time the data is published.
- The crime statistics are reported based on the location the offence occurred.
- It must be noted that crime statistics may be influenced by a wide range of factors; including, but not limited to, population size, infrastructure (such as shopping centres and entertainment precincts), seasonal trends, and the extent to which crime is reported to or detected by police. Consideration should be given to factors influencing crime when interpreting statistics.

Details:

From the data the major offence across the Kimberley is Assault (Family). This is the case for regional WA. Other key offences are stealing, property damage, dwelling burglary and breaches of violence restraining orders. Broome has fraud and related offenses that are not seen in other towns, apart from Kununurra which is at a lower percentage. The key offences are mirrored in the crime statistics for regional WA. The key difference between the Kimberley and the regional statistics relates to graffiti and drug offences.

It would be interesting to know if the impact of the Kimberley floods led to reduced crime in Fitzroy Crossing and increasing crime in Derby and Broome in January and February 2023.

Risk:

Reputational risk - Advocacy may not be credible if not informed by an evidence base.

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	
Resolution/s		Action(s)	
<p>That</p> <ol style="list-style-type: none"> Members note the regional crime statistics as presented; and Agree to continue presenting the crime statistics as they become available for future meetings. 		Executive Team to include Crime Statistics (as they become available) in future meeting papers	
Moved:	Shire of Wyndham East Kimberley	Responsible:	Executive Team
Seconded:	Shire of Halls Creek	Due date:	As required
Carried:	4/4		

Attachment 14 2022/23 Kimberley Crime Statistic Trends by Town

Broome

Financial Year

Calendar Year

Offences per Financial Year

Offences per Month

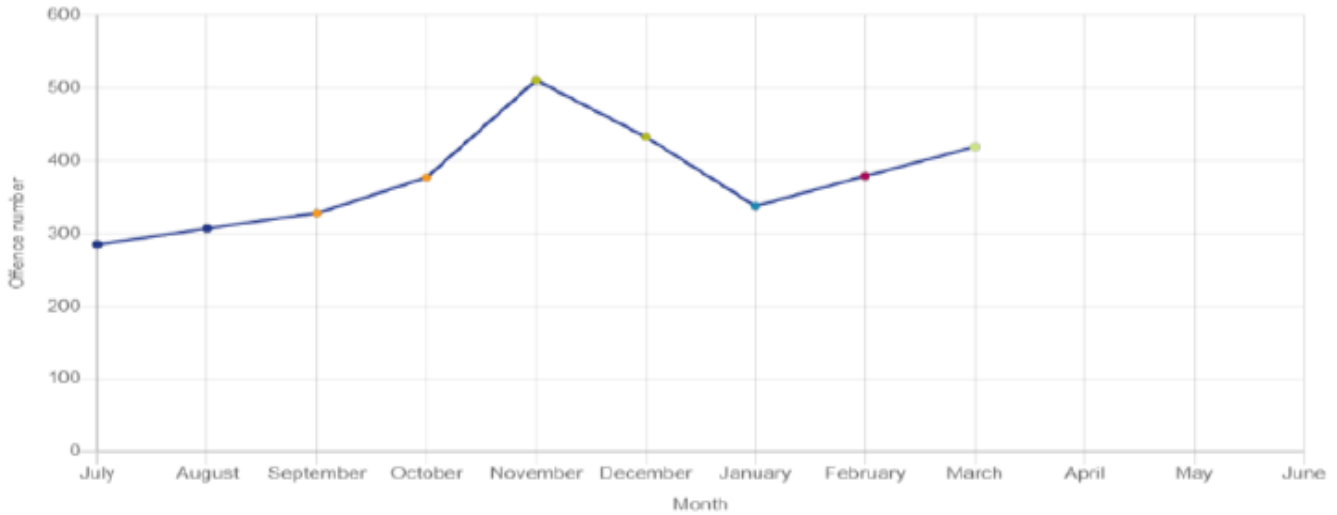
Compare Suburbs

prev

2022-23

next

BROOME Offences per Month of Financial Year 2022-23



Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	4	8	9	1	3	6	4	2	4			
Assault (Family)	57	72	94	92	88	110	76	108	112			
Assault (Non-Family)	26	23	29	25	28	37	32	30	32			
Threatening Behaviour (Family)	9	11	18	23	17	38	24	34	25			
Threatening Behaviour (Non-Family)	3	10	6	2	5	9	3	6	6			
Deprivation of Liberty	-	1	1	-	-	-	-	-	-			
Robbery	1	1	3	-	1	1	1	2	1			
Dwelling Burglary	29	42	20	15	39	25	40	36	38			
Non-Dwelling Burglary	6	15	7	7	20	8	25	22	17			
Stealing of Motor Vehicle	7	14	6	6	8	14	7	10	20			
Stealing	39	35	41	36	47	51	36	29	45			
Property Damage	34	32	38	41	37	39	30	37	31			
Arson	-	2	-	12	-	2	-	1	2			
Drug Offences	26	11	13	32	22	7	11	24	13			
Graffiti	1	2	1	2	-	2	1	1	1			
Fraud & Related Offences	18	2	21	28	23	36	27	8	32			
Breach of Violence Restraint Order	25	26	21	55	173	48	21	29	40			
Total of Selected Offences	285	307	328	377	511	433	338	379	419	0	0	0

Notes:
 Crime statistics are extracted quarterly from the WA Police Force Incident Management System.
 Crime statistics are provisional and subject to change.

Derby

Financial Year

Calendar Year

Offences per Financial Year

Offences per Month

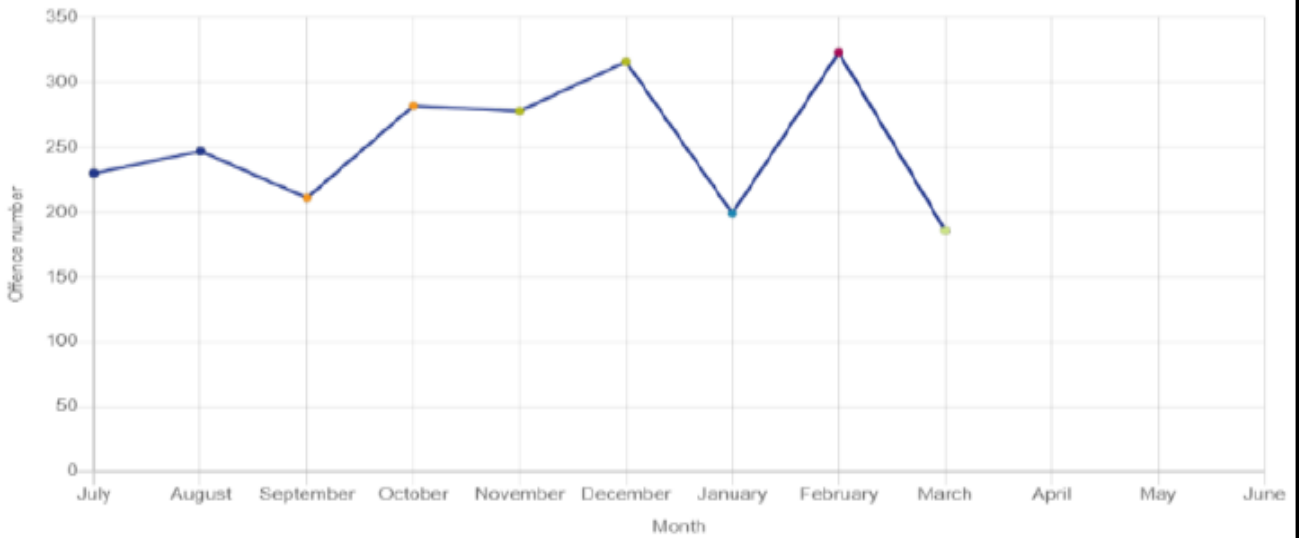
Compare Suburbs

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2022-23

next

DERBY Offences per Month of Financial Year 2022-23



Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	1	-	-	-	-	-	-
Sexual Offences	3	4	1	5	1	5	3	5	4	-	-	-
Assault (Family)	74	84	89	85	91	122	47	53	59	-	-	-
Assault (Non-Family)	11	6	16	16	6	27	17	8	17	-	-	-
Threatening Behaviour (Family)	16	18	18	24	36	36	30	29	17	-	-	-
Threatening Behaviour (Non-Family)	2	7	2	3	4	5	3	12	1	-	-	-
Deprivation of Liberty	1	2	-	-	-	-	-	-	-	-	-	-
Robbery	4	-	-	-	-	2	-	1	-	-	-	-
Dwelling Burglary	9	12	6	20	5	17	15	28	25	-	-	-
Non-Dwelling Burglary	12	9	3	3	6	2	6	13	1	-	-	-
Stealing of Motor Vehicle	7	7	4	-	2	6	7	3	5	-	-	-
Stealing	18	17	15	11	11	14	11	12	12	-	-	-
Property Damage	20	26	14	17	26	21	16	16	18	-	-	-
Arson	-	1	-	1	-	2	-	-	-	-	-	-
Drug Offences	10	13	16	18	11	11	20	120	8	-	-	-
Graffiti	-	1	-	-	-	-	-	-	-	-	-	-
Fraud & Related Offences	2	1	2	3	41	3	-	-	-	-	-	-
Breach of Violence Restraint Order	41	39	25	76	38	42	24	23	19	-	-	-
Total of Selected Offences	230	247	211	282	278	316	199	323	186	0	0	0

Notes:
 Crime statistics are extracted quarterly from the WA Police Force Incident Management System.
 Crime statistics are provisional and subject to change.

Fitzroy Crossing

Financial Year

Calendar Year

Offences per Financial Year

Offences per Month

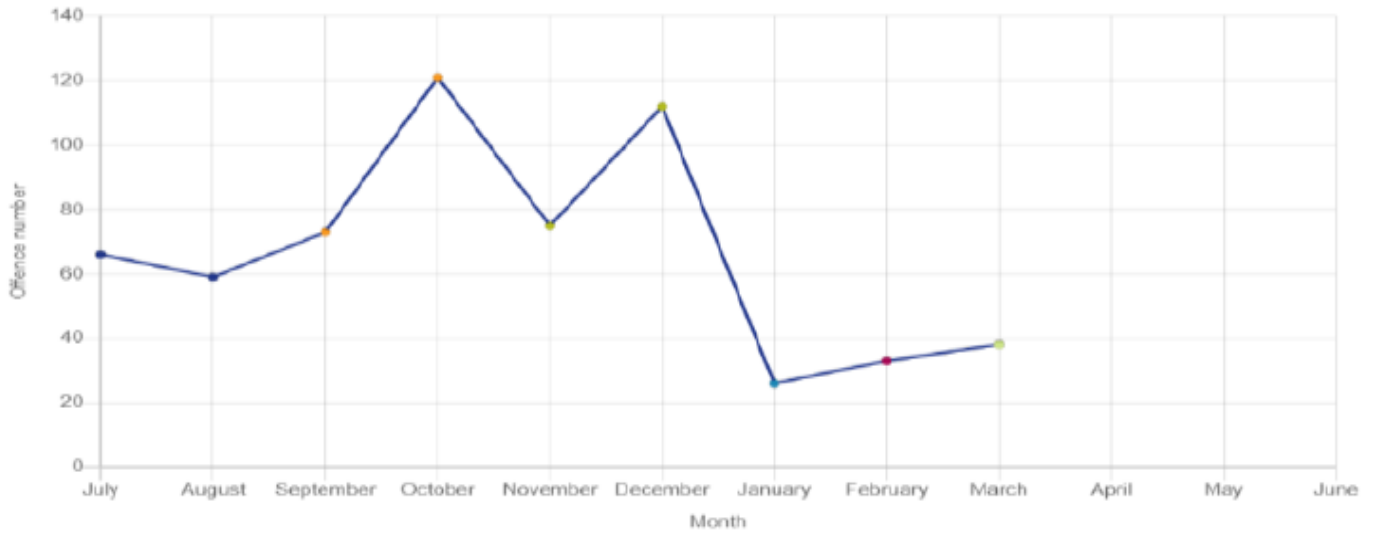
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2022-23

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FITZROY CROSSING Offences per Month of Financial Year 2022-23



Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	-	2	3	2	1	1	-	-	-	-	-	-
Assault (Family)	28	25	26	45	20	43	6	16	15	-	-	-
Assault (Non-Family)	5	4	4	3	14	8	1	1	2	-	-	-
Threatening Behaviour (Family)	4	1	1	6	3	7	3	3	2	-	-	-
Threatening Behaviour (Non-Family)	-	1	1	2	6	1	-	1	-	-	-	-
Deprivation of Liberty	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	-	-	-	-	-	-	-	-	-	-
Dwelling Burglary	-	2	6	5	1	9	3	1	-	-	-	-
Non-Dwelling Burglary	1	2	4	8	3	7	5	1	-	-	-	-
Stealing of Motor Vehicle	-	-	1	2	2	4	1	1	1	-	-	-
Stealing	7	7	8	14	9	10	2	1	4	-	-	-
Property Damage	8	7	12	16	11	5	4	2	5	-	-	-
Arson	1	1	-	-	1	-	-	-	1	-	-	-
Drug Offences	4	-	1	4	2	6	-	-	4	-	-	-
Graffiti	-	-	-	1	-	2	-	1	-	-	-	-
Fraud & Related Offences	3	1	-	4	-	-	-	-	-	-	-	-
Breach of Violence Restraint Order	5	6	6	9	2	9	1	5	4	-	-	-
Total of Selected Offences	66	59	73	121	75	112	26	33	38	0	0	0

Notes:
 Crime statistics are extracted quarterly from the WA Police Force Incident Management System.
 Crime statistics are provisional and subject to change.

Halls Creek

Financial Year

Calendar Year

Offences per Financial Year

Offences per Month

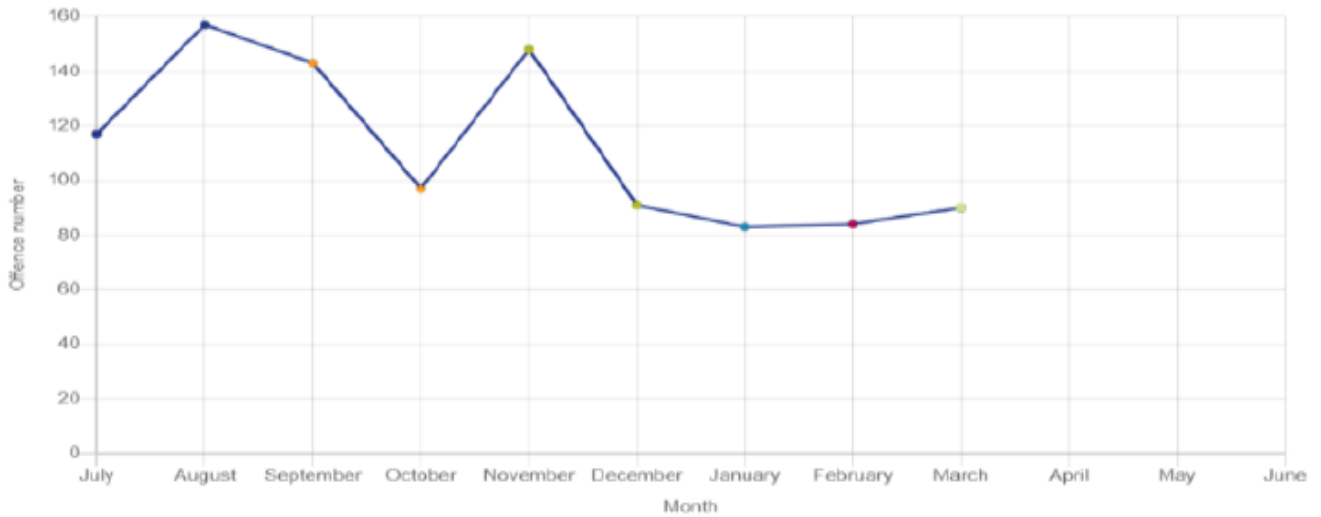
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HALLS CREEK Offences per Month of Financial Year 2022-23



Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	1	1	-	1	-	2	-	1	2	-	-	-
Assault (Family)	38	32	31	24	28	28	20	21	18	-	-	-
Assault (Non-Family)	10	17	6	11	16	9	9	5	7	-	-	-
Threatening Behaviour (Family)	8	4	5	3	2	5	4	2	3	-	-	-
Threatening Behaviour (Non-Family)	1	-	-	-	2	-	1	1	2	-	-	-
Deprivation of Liberty	-	-	-	-	-	-	-	1	-	-	-	-
Robbery	-	-	-	-	-	-	-	1	1	-	-	-
Dwelling Burglary	5	15	27	11	14	9	12	9	7	-	-	-
Non-Dwelling Burglary	5	9	9	2	3	2	9	7	6	-	-	-
Stealing of Motor Vehicle	5	6	9	5	17	3	4	4	7	-	-	-
Stealing	11	23	12	10	15	8	5	5	10	-	-	-
Property Damage	20	30	22	22	43	14	9	11	23	-	-	-
Arson	2	2	1	-	-	-	1	-	-	-	-	-
Drug Offences	-	1	1	1	3	-	1	1	-	-	-	-
Graffiti	-	1	-	-	2	-	-	-	-	-	-	-
Fraud & Related Offences	-	7	13	1	-	1	-	12	3	-	-	-
Breach of Violence Restraint Order	11	9	7	6	3	10	8	3	1	-	-	-
Total of Selected Offences	117	157	143	97	148	91	83	84	90	0	0	0

Notes:
 Crime statistics are extracted quarterly from the WA Police Force Incident Management System.
 Crime statistics are provisional and subject to change.

Kununurra

Financial Year

Calendar Year

Offences per Financial Year

Offences per Month

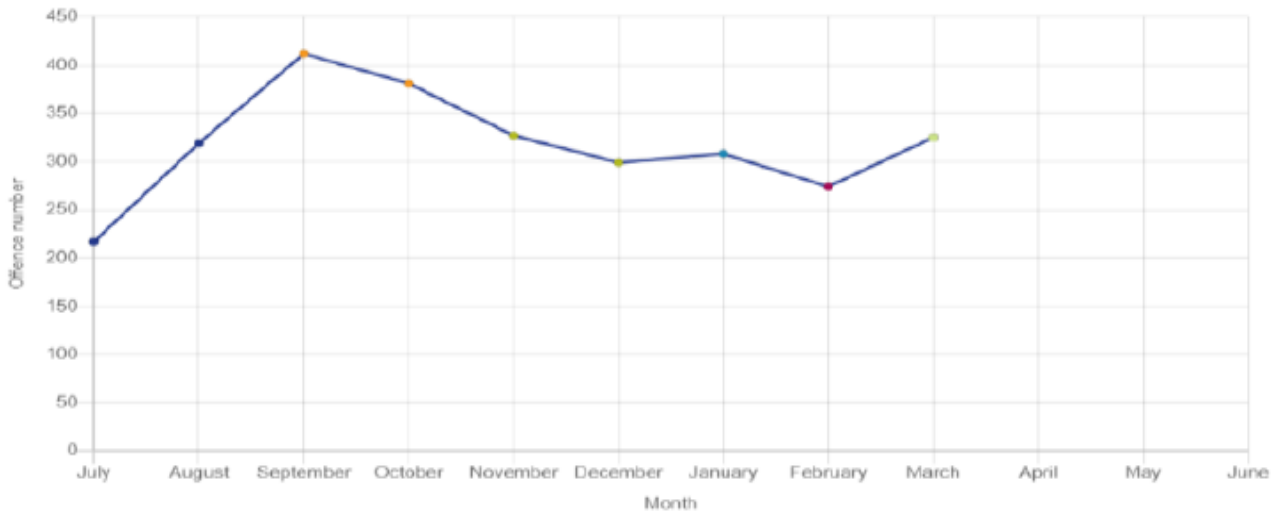
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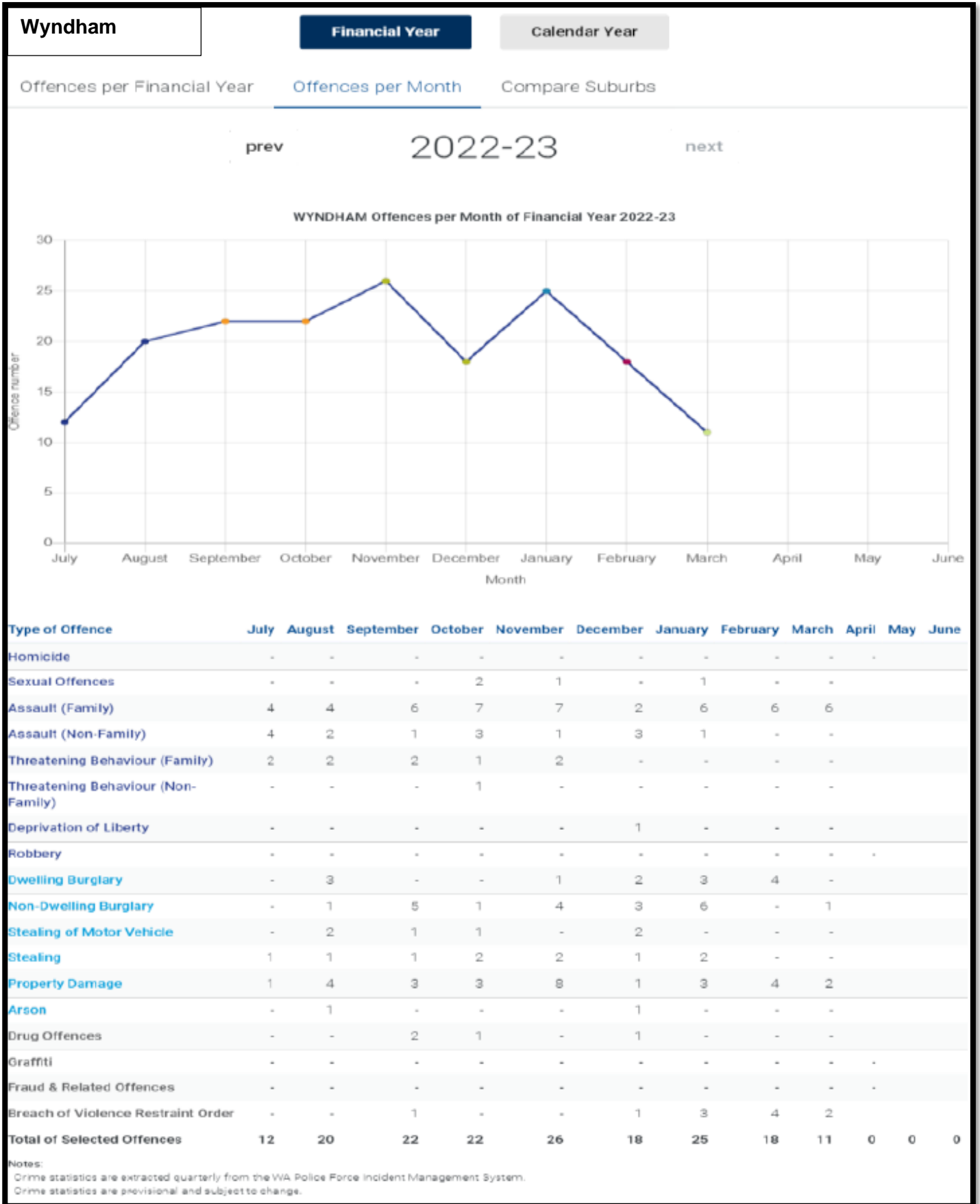
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KUNUNURRA Offences per Month of Financial Year 2022-23



Type of Offence	July	August	September	October	November	December	January	February	March	April	May	June
Homicide	-	-	-	-	-	-	-	-	-	-	-	-
Sexual Offences	1	5	2	2	13	3	2	1	3			
Assault (Family)	77	96	84	122	96	99	83	71	93			
Assault (Non-Family)	17	15	36	34	16	34	14	19	29			
Threatening Behaviour (Family)	18	17	13	22	16	19	17	17	13			
Threatening Behaviour (Non-Family)	5	2	6	4	5	9	3	5	5			
Deprivation of Liberty	-	-	-	-	-	-	-	-	-	-	-	-
Robbery	-	-	1	1	-	-	-	-	-			
Dwelling Burglary	7	20	29	31	22	15	47	17	26			
Non-Dwelling Burglary	3	7	4	5	9	5	10	4	6			
Stealing of Motor Vehicle	2	3	7	9	19	8	8	11	14			
Stealing	18	38	34	42	29	19	25	26	41			
Property Damage	20	50	42	34	36	43	51	37	40			
Arson	1	1	4	1	-	1	-	-	-			
Drug Offences	10	11	11	6	14	4	2	9	16			
Graffiti	-	2	-	7	2	4	2	2	1			
Fraud & Related Offences	5	21	9	29	2	1	9	20	3			
Breach of Violence Restraint Order	33	31	130	32	48	35	35	35	35			
Total of Selected Offences	217	319	412	381	327	299	308	274	325	0	0	0

Notes:
 Crime statistics are extracted quarterly from the WA Police Force Incident Management System.
 Crime statistics are provisional and subject to change.



Regional WA

Financial Year Offences per Month



Type of Offence	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Homicide	41	38	30	40	46	38	40	34	34	35
Sexual Offences	1,404	1,346	1,606	1,580	1,896	1,543	1,668	1,970	1,746	1,545
Assault (Family)	5,402	5,398	6,601	7,583	7,451	7,811	8,554	10,039	10,930	9,759
Assault (Non-Family)	3,269	3,226	3,206	3,469	3,434	3,292	3,559	3,929	4,426	3,870
Threatening Behaviour (Family)	548	482	678	1,020	993	1,021	1,194	1,441	1,822	2,022
Threatening Behaviour (Non-Family)	716	780	837	873	900	860	888	945	1,110	1,129
Deprivation of Liberty	60	47	57	67	55	53	63	66	70	55
Robbery	180	154	163	169	161	153	151	171	197	194
Dwelling Burglary	5,125	5,829	5,961	5,764	6,138	5,632	4,961	3,905	5,110	3,758
Non-Dwelling Burglary	2,589	2,669	3,091	2,954	2,680	2,361	2,167	1,893	3,066	1,851
Stealing of Motor Vehicle	1,654	1,687	1,726	1,687	1,758	1,625	1,407	1,585	2,287	1,592
Stealing	14,021	14,908	15,155	15,285	13,353	13,589	11,222	9,327	10,821	9,705
Property Damage	9,708	9,719	10,059	10,632	9,120	8,534	8,366	8,577	9,438	7,372
Arson	381	434	363	373	409	360	377	352	428	339
Drug Offences	7,748	9,736	10,949	10,666	10,593	9,741	9,096	7,094	5,574	5,335
Graffiti	546	428	359	435	398	377	300	405	621	390
Fraud & Related Offences	3,655	4,293	4,884	2,971	2,676	3,346	2,267	2,795	2,818	2,952
Breach of Violence Restraint Order	2,508	2,662	3,531	3,761	3,664	3,891	4,291	4,063	4,348	3,901
Total of Selected Offences	59,555	63,836	69,256	69,329	65,715	64,227	60,571	58,591	64,846	55,804

Notes:
 Crime statistics are extracted quarterly from the WA Police Force Incident Management System.
 Crime statistics are provisional and subject to change.

17. Website and Social Media

Item for Noting

Submitted by: Executive Officer

Purpose:

To update the members on the status of the Kimberley Regional Group Website and Linked In account.

Background:

The KRG is a powerful voice for the Kimberley region taking a whole of region perspective on social and economic issues. To maximize opportunities to drive the KRG agenda, a communications and media policy has been developed for KRG endorsement. This policy recommends a website as a tool to raise the profile of the KRG and the KRG's policy and advocacy agenda.

The KRG members made a resolution at the February meeting to establish a website, with Eclipse Design Solutions being appointed as the web designer. Also, under the adopted communication strategy, a presence on LinkedIn was to be established and linked with the website.

Details:

The KRG draft temporary website can be viewed at: https://kimberleyrg.wpengine.com/?page_id=95. Work is still being conducted on the site in the week of 11/6/2023, so it is advised that members wait until 15/6/2023 to view it. Once feedback on the design and content is received, the site will be made live. It contains a link to the newly formed Linked In site: Kimberley Regional Group of Local Governments, which can also be viewed.

Updates to the site will be made on an as-needs basis and will include updated documents, submissions, and reporting on KRG events and advocacy.

Risk:

Reputational - Without a website, the profile of the KRG is diminished

Financial – the operational cost to keep the website contemporary is addressed by having a website that can be updated by the Executive.

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	
Resolution/s		Action(s)	
That the members provide feedback on the KRG website and Linked In pages by 29/06/2023 for potential go-live date on 1/07/2023		Members to provide feedback on website by 29/6/2023. Website to go live on 1/7/2023.	
Moved:	Shire of Derby West Kimberley	Responsible:	Executive Officer
Seconded:	Shire of Wyndham East Kimberley	Due date:	As required
Carried:	4/4		

18. Executive Officer Report

Item for Noting

Submitted by: Executive Officer

Attachment 15: EO Report April, May 2023

Purpose:

To update the KRG on the Executive Officer services provided for the period April 2023 – May 2023 inclusive.

Background:

The attached report provides information about the services provided, activities undertaken and time allocation over the past two months.

Details:

As in included attachment.

Risk:

Nil

Link to Key Pillar/s and Strategies:		Budget Implications	
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	
Resolution/s		Action(s)	
That the Executive Officers Report be received and endorsed		As per Outstanding Actions	
Moved:	Shire of Wyndham East Kimberley	Responsible:	Executive Officer
Seconded:	Shire of Derby West Kimberley	Due date:	As required
Carried:	4/4		

Attachment 15: EO Report – April to May 2023
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Project Work / Activity

Refer to business arising and KRG action lists for all activities the Executive is working on.

Project / Activity	Status	Item
Administrative Matters and Meetings	Ongoing	-
General Stakeholder Engagement	Ongoing – see Stakeholder list	18
Office of the Auditor General	Pending resolutions	8
Banned Drinkers Register	Update of progression of the Liquor Control Amendment	9
BBY and WKFEC Engagement	Pending resolution	10
Aboriginal Cultural Heritage Bill	Updated information	11
KRG MOU and Governance	Developed draft MOU, awaiting instruction on governance document	12
Strategic Planning	Preparation of the KRG Prioritized Action List	13
Natural Disaster Resilience and Recover Enquiries	Preparation of paper, attendance at meetings. Pending resolution	14
State and Federal Budget Overview	Preparation of paper for member information	15
Kimberley Crime Statistics	Research and preparation of paper for member information	16
Website and Social Media	Website development nearing completion. Linked In page completed	17

Stakeholder Engagement

Date	Stakeholders	Purpose
24/4/23	Lawford Benning, Chair MWG	General Discussion
1/5/2023	Chuck Berger -CEO KDC	Briefing on KRG roles, responsibilities and activities
2/5/23	Vernon Lawrence, CEO SWEK	DRFAWA Review discussions
3/5/23	Tim Lane, WALGA	Governance and Zone matters
4/5/2023	Sarah Tobias – Secretariat KAYWSC	Briefing on KRG roles, responsibilities and activities
4/5/2023	Matt Smith –CEO MG Corp	Briefing on KRG roles, responsibilities and activities
4/5/2023	Desmond Hill –CEO KWAC	Briefing on KRG roles, responsibilities and activities
4/5/2023	Christy Hawker – CEO BBY	Briefing on KRG roles, responsibilities and activities
9/5/23	Garry Hunt – Lord Mayor’s Fund Strategic Advisor	KRG Update and actions
10/5/23 & 17/5/23	Ron Edwards, Chair of the State Emergency Management Committee	KRG Update and Actions
17/5/23	Ian Trust, Chair Wunan	KRG Update and Actions
17/5/23	Christina Colegate, Assistant Director Aboriginal Engagement – Department of Premier and Cabinet	KRG Briefing and Collaboration Opportunities

Date	Stakeholders	Purpose
18/5/23	Stacey Hutt, Executive Officer Inner City Councils	KRG Collaborative Opportunities
22/5/23	Phillip Cassel, CEO Halls Creek	KRG Roles and Processes
24/5/23	James Sheridan, CEO LGIS	KRG Briefing and discussions around Insurance Premiums relief
26/5/2023	Tony Brown, WALGA	OAG issues

Time Allocation September 2022 – August 2023

Total Yearly Contract: 864 Hours: Monthly from 8th of the month to 7th of the next month

	Paul Rosair		Michelle Mackenzie		Jane Lewis		Joshua Turner	
	Contract	Actual	Contract	Actual	Contract	Actual	Contract	Actual
Sept 22	32	34	20	18	23	29	4	2
Oct 22	32	22	20	8	23	24	4	1
Nov 22	32	40	20	36	23	28	4	0
Dec 22	10	12.5	10	26.25	10	1.5	2	0
Jan 23	10	19	10	11	10	36	2	0
Feb 23	32	15.5	20	9	23	25.5	4	0
Mar 23	32	34	20	9.25	23	14.5	4	0
Apr 23	32	19	20	9.5	23	24	4	0
May 23	32	35	20	23.5	23	18.5	4	0
June 23	32		20		23		4	
July 23	32		20		23		4	
Aug 23	32		20		23		4	
TOTALS	244/350	231/244	160/220	140.5/160	181/250	201/181	32/44	3/32
OVERALL CONTRACT: 617 / 864 ACTUALS: 585.5 / 617								

Note: Members of the Executive Team were on leave during April and May, these hours will be made up over the next couple of months.

19. Around the Grounds

Matter for Discussion

Submitted by: Executive Team

Purpose:

This session provides an opportunity for members to share information of a local or regional nature that may provide opportunities for collaboration, or may serve the purposes of sharing a learning that could impact the region as a whole.

Details:

Since the inception of this agenda item in February 2023, two events were deemed major enough to steer discussion: the floods and the Canberra visit. For this meeting, it has been left to each Shire to introduce a topic/s of their choice that they deem relevant for the group. It is the intention that each Shire can hold the floor for up to 5 minutes, after which the item can either be followed up out of session or raised as an agenda item for the next meeting.

Link to Key Pillar/s and Strategies:		Budget Implications		
<table border="1"> <tr> <td> People Place Prosperity Performance </td> <td> Advocate Partner Promote </td> <td> Facilitate Fund Monitor </td> </tr> </table>	People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor	Nil
People Place Prosperity Performance	Advocate Partner Promote	Facilitate Fund Monitor		
Resolution/s		Action(s)		
For Information only		Nil		

20. General Business

Item	Responsible	Actions Arising
Insurance Relief	Executive Officer	Executive Officer met with LGIS CEO, James Sheridan and will update the Group accordingly.
Regional Road Group - Funding Split & Multi-Criteria Assessment Model for RPG Funding – See attachment below	Executive Officer And Shire of Broome See attachment 16 below	Executive Team to write to WALGA outlining the KRG's position: The preference is for the Funding Split to remain the same as it is now, however of the options presented, Option 4 is the most suitable.
State Award Working Group	Executive Officer	Nomination received from Jennifer Maccarone. WALGA have advised that all vacancies are filled to ensure representation across the State before they are able to progress.
Meeting 24 th August 2023	Executive Officer	Event Organisation
Cr Haerewa thanked the Shires for funding for the NW Defence Alliance and advised he would send a report.		


Attachment 16: Funding Split & Multi-Criteria Assessment Model for RPG funding – WALGA presentation



Funding Split & Multi-Criteria Assessment Model for RPG funding

Regional Road Group (RRG) Responsibilities

SRFLG Agreement

- 
- The RRG will make recommendations to SAC in relation to the Annual Local Roads Program for their Region
 - Road Project Grants are to be used for specific projects that are assessed and prioritised by the RRG in accordance with the SRTLG Procedures and ROADS 2040.
 - RRG funds are to be distributed on a priority basis using a process that is agreed to by the RRG and endorsed by SAC.

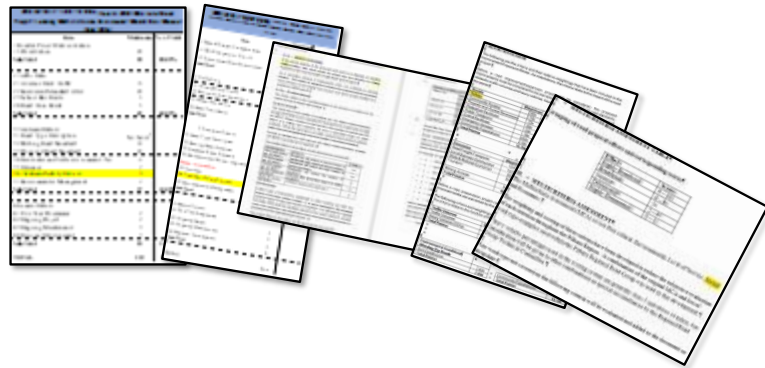
New Criteria

- 
- Sustainability
 - Road Safety



Multi-Criteria Assessment (MCA) Model

- Purpose of the MCA is to prioritise Road Project Grant funding
- Developing the annual Local Government roads program uses an MCA Model
 - Different for each region
 - Preservation / Improvement projects handled differently between regions
 - Criteria vary between regions
 - Weighting varies between regions
 - Under direction of SAC
WALGA has developed a unified framework.



Regional Road Group (RRG) Responsibilities

SRFLG Procedures

- RRG responsible to regularly review project prioritisation methodologies for annual distribution of road funds...
- Road Project Grants are used for specific road projects assessed and prioritised by the RRG using their documented methodology.
- Using a suitable method of project evaluation or prioritisation the RRG shall determine the particular projects recommended to SAC for funding

Steps



- **Decide funding model–**
current 4 way split does not meet Agreement conditions
- **Develop MCA weightings and scoring**
- **Draft documentation / RRG procedures**
- **Submit to RRG and SAC for approval**
- **Validation**
- **Implementation**

Possible Funding Models



- **Option 1: Funding allocation based solely on MCA**
 Advantages: Defendable
 Disadvantages: Unpredictable split
- **Option 2: Funding based on MCA but with caps and floors per Shire . E.g. min \$0.5m, max \$1.0m**
 Advantages: Defendable and fair
 Disadvantages: Unpredictable split
- **Option 3: Divide funds using APV with MCA cut off / prioritise at LG level**
 Advantages: Defendable
 Disadvantages: Substantial reduction for Broome
- **Option 4: Divide funds using 75% APV / 25% population with MCA cut off / prioritise at LG level**
 Advantages: Defendable, similar to present split
 Disadvantages:

Option 3: APV



Split based on the APV

LG	APV	%
Broome	4,718,918	15.5
SWEK	8,910,709	29.2
SDWK	9,558,415	31.3
Halls Creek	7,344,980	24.1

Option 4: APV and Population



Split based on the 75% APV + 25% population factor

LG	APV	%	Population	%	%split
Broome	4,718,918	15.5	16222	44.6	22.7
SWEK	8,910,709	29.2	7148	19.6	26.8
SDWK	9,558,415	31.3	8914	24.5	29.6
Halls Creek	7,344,980	24.1	4105	11.3	20.9

Preservation Criteria for MCA



- Social/Economics** (Heavy Vehicle Volumes)
 - Inter-Community Access
 - Pedestrian/Bicycle/School Facilities
 - Emergency Access
 - Community Expectations
 - Economic Activity
 - Tourism
 - Local Business Community/Mining Access
- Traffic**
 - Travel time
 - All Weather Access
 - Traffic Congestion
 - School Bus/Road Train Route
 - AADT
 - Equivalent Standard Axles
- Safety**
 - Crash History
 - Existing versus Proposed Road Standard
 - Road Safety Improvements
 - Treatment Types
- Sustainability**
 - To be determined
- Condition Assessment**
 - Reconstruction
 - o Local Surface Defects
 - o Patches Extent
 - o Rutting Severity
 - o Cracking Severity
 - o Edge Break Extent
- o Unsealed Shoulder Condition
- o Table Drains/Underground Drainage
- Resealing
 - o Binder/Asphalt Condition
 - o Binder/Stone
 - o Cracking Severity
 - o Seal/Reseal Age
 - o Drainage
- Unsealed
 - o Shape
 - o Dust
 - o Depth of Base
 - o Table Drains

Preservation Criteria Weighting



- Possible Weighting
 - Condition Assessment 40%
 - Safety 20%
 - Traffic 20%
 - Social/Economics 10%
 - Sustainability 10%

Criteria	Recommended Weighting
Condition Assessment	Highest Weight
Safety	Higher Weight
Traffic	Higher Weight
Sustainability	Medium Weight
Social/Economics	Medium Weight

Improvement Criteria for MCA



Social

- InterCommunity Access
- Pedestrian/ Bicycle/ School Facilities
- Emergency Access
- Community Expectations

Environment

- Surface Water
- Air Pollution and Dust
- Flora & Fauna
- Noise Pollution
- Ground Water
- National Parks & Cultural Sites

Traffic

- Travel time
- All Weather Access
- Traffic Congestion
- School Bus/Road Train Route
- AADT
- Equivalent Standard Axles (Heavy Vehicle Volumes)

Economics

- Economic Activity
- Tourism
- Freight Transport

- Local Business Community/Mining Access

Safety

- Crash History
- Existing versus Proposed Road Standard
- Road Safety Improvements
- Treatment Types

Sustainability

- To be Determined

Improvement Criteria Weighting



- Possible Weighting
 - Traffic– 25%
 - Road Safety 20%
 - Economics- 15%
 - Environment 15%
 - Sustainability 15%
 - Social– 10%

Criteria	Recommended Weighting
Traffic	Highest Weight
Road Safety	Highest Weight
Economics	Higher Weight
Environment	Higher Weight
Sustainability	Higher Weight
Social	Medium Weight

Kimberley RRG Procedures



- Background
- Membership
- Meetings
- RPG Funding split
- MCA methodology
- Program development
- Changes during the year

KRG Scheduled Meeting Dates

Date	Time	KRG
9/8/23 CEO Ringaround	9-9.30	Zoom
24/8/2023	8.30-1 pm then dinner from 6pm if staying overnight	KRG and Zone Meeting – City of Vincent Perth
27/9/23 CEO Ringaround	9-9.30	Zoom
To coincide with the WALGA AGM – date to be determined. 4/10/23?	TBD	KRG and Zone Meeting – Potential Zoom now that AGM has been brought forward 3 weeks
17/11/23 CEO Ringaround	9-9.30	Zoom
23/11/2023	9-12 noon	KRG and Zone Meeting – Zoom

Meeting Closure: 12 noon